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The argument used by the Home Member that the Rowlatt Act would operate only against the guilty and that therefore the loyal Indian need not feel any apprehension was a flimsy one. We are aware that there have been instances of failure of justice even when accused persons undergo trial in ordinary law courts according to normal procedure and enjoy the normal facilities for defence. There cannot be much doubt that where the ordinary legal safeguards are absent, the chances of conviction of innocent persons are greatly enhanced. May it not be argued that if the guilty only would be punished even in the absence of ordinary safeguards, why should not the system be made applicable to all classes of crimes and misdemeanours instead of confining its application to political cases only?

In this connection the reader's attention is drawn to the following extract from Morley's "Recollections" (Vol. II, p. 257):—

"... said to me this morning, 'You see, the great executive officers never like or trust lawyers.' 'I'll tell you why,' I said, 'tis because they don't like or trust law: they in their hearts believe before all else in the virtues of will and arbitrary power.' That system may have worked in its own way in old days, and in those days the people may have had no particular objection to arbitrary rule. But, as you have said to me scores of times, the old days are gone and the new times breathe a new spirit, and we cannot carry on upon the old maxims."

The advantageous position occupied by the bureaucracy which enabled it to ignore public opinion and its desire to deal out swift and sure justice even if in doing so a few persons were involved against whom sufficient legal proof was not available, explain why the Rowlatt Act became the law of the land in spite of universal opposition from all those who were likely to come within its mischief.

The attitude of the typical bureaucrat with regard to the Act may be inferred from what one of them, Sir Michael O'Dwyer, said in his "India, As I Knew It," p. 266. "The Bill," according to him, "was a reasonable and practical measure, intended to take the place of the Defence of India Act *but much less drastic in its provisions* (italics ours). A comparision between the provisions of the Rowlatt Act and those of the Defence of India Act, however, will show that there is not much to choose between the two. In addition, we have to remember that, unlike the latter, the former was not an emergency measure which would automatically come to an end

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Dr. W. Duranty while discussing the Rowlatt Act in his "Case for India" has quoted "India in Bondage" by Dr. J. T. Sunderland, a book which the present writer has had no opportunity of reading. This author says that Dr. Sunderland has "showed that these (provisions of the Rowlatt Act) were almost precisely the rules of the Spanish Inquisitions." If this is so, all one can say is that those responsible for it must, with their coming to India, have managed to forget all their inherited traditions.

British Safeguards in Emergency Legislation

How different the situation is in Britain where public opinion cannot be ignored with impunity by a democratic Government may be inferred from what Prof. Harold J. Laski has said in his contribution "Government in Wartime" in a collection of essays by members of the Fabian Society entitled, "Where Stands Democracy?" In dealing with the methods of restraint permissible in a democracy which would ensure the enjoyment of the maximum possible freedom consistent with the maintenance of law and order, he lays down the following rules:—

"1. The Government must not in any case be both accuser and judge. Whenever, therefore, it is of opinion that a breach of the regulations has taken place, it should be compelled to bring the alleged offender before an independent tribunal which alone should have the power to determine the result.

"2. The Government must have no power, in any case, to suspend the writ of Habeas Corpus.

"3. The Government should have no power, in any case, of preventive arrest and detention.

"4. The Government should have no power, in any case, to deport citizens from one area to another without proof before a tribunal that their activities are a definite breach of specific regulations.

"5. The Government should have no power to punish the expression, written or spoken, of opinion unless it can be proved before a tribunal (*a*) that the expression created an imminent fear of public disorder, or (*b*) was giving secret information to the enemy.

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"6. Any ader the
Defence of the ment for
approval by mea

"7. No ag uld have
the power to n except
where it can be a of the
peace by the holders of the meeting.

In elaborating the principles laid down by him, Prof. Laski pointed out that, in the absence of safeguards such as those referred to above, there are bound to be "stupidity and injustice." Continuing he further observed that when officials are guilty of exceeding their powers, the Minister "will always protect the mistakes of the subordinates."

A comparison of what Prof. Laski has said above with the provisions of the Rowlatt Act will very clearly prove that every one of the principles laid down by him was deliberately ignored. And the reason for flouting them, Political India held, was foreign domination. It was this feeling which lent such vigour to the agitation against it and brought into it Moderates and Extremists as well as all classes of men from the richest to the poorest.

Conditions in Britain Today

That Professor Laski has not laid down ideals which find no application in daily life is proved by what we actually find in Britain today where Regulation 18B authorises the Home Secretary to detain any one without trial in the interests of national security. This, it may be added, is an emergency measure operative for the duration of the war only. "The Spectator" of London had the following to say about this measure in its issue, dated the 7th November, 1941:—

"It must not, of course, be thought that detained persons today have no appeal at all. A strong advisory committee . . . has been hard at work for months reviewing the case of any detenu who asks to be heard. He appears in person, is told the grounds for his detention, and can state his case at length . . . A substantial safeguard against injustice is thus provided, for the committee is a body in which complete confidence can be placed."

The reader is asked to note that the English Regulation 18B is to be in force during the war, whereas the Rowlatt Act was to

operate in peaceful times, that the British detenu enjoys the right of appeal and is told the reasons for his detention so that he can defend himself against a false charge and lastly that he is allowed to state his case at full length. In one word, the Home Secretary can be dragged to a law court to show cause for detaining the humblest of his fellow-citizens who enjoys reasonable facilities for defending himself. The provisions of the Rowlatt Act were framed in such a manner that the Indian never enjoyed none of these rights. This marked the difference in outlook between the Englishman in his own country and the Englishman in India.

IV

Political India's Reactions to the Rowlatt Act

India could not forget that the Rowlatt Act was thrust on her by an autocratic Government determined to have its way and that this was done not at the beginning but after the conclusion of the war, when there existed no state of emergency and when there was no indication of danger to the State, that it empowered the Executive to deprive subjects of the British Crown, probably because they were not white, of the right of trial, that it exposed them to arrest without warrant, to imprisonment without trial, to drastic restrictions of other kinds on their liberty and to Star-Chamber tribunals.

In a word, the Rowlatt Act did away with nearly all the safeguards which experience had incorporated in the forms of criminal procedure in order to ensure justice. The slogan used later on to characterise it "*Na dalil, na vakil, na appeal*" (no argument, no lawyer, no appeal) may, after all, be regarded as an accurate, if a rough and ready, description of it.

India was aware that the statesmen of Great Britain had provided for a temporary extension of the Defence of the Realm Act on which the Defence of India Act was said to have been modelled and also that though the Armistice had been signed, the official termination of the War was distant. The Government of India could have followed the example of England and extended the life of the Defence of India Act. But it was apparently bent on proving to India that the freedom won by the War in which India had played her part, however humble, was not for hey children. Not only so,

it also seemed as if Government desired that Indians should realise that it was able to ride roughshod over their protests and to deprive them, if it so pleased, of the rights and liberties guaranteed to them in solemn pronouncements made by successive sovereigns.

The callous indifference of Government to the public opinion of India even when voiced by that prince of Moderates, the Right Hon'ble V. S. Srinivasa Sastri, was clearly proved by its refusal to pay any attention to protests and appeals made according to strictly constitutional methods. Under these circumstances, the forcing of the measure through the legislature with the help of the Government *bloc* came to be regarded as a deliberate, if not a culpable, act of provocation on the part of Government.

More than that, the passing of the Rowlatt Act against the unanimous opposition of India's elected representatives wounded the sense of self-respect acquired by the sacrifices in men, money and materials undergone by her in order to win freedom for the West while she herself seemed likely to lose something out of the little she had previously enjoyed.

It hurt Indian sentiments that immediately after her victory, Britain should feel such mistrust in the greatest of her allies as to seek protection for her sons in this particular form. It was felt that it practically amounted to a slap in the face of India as a reward for the generous assistance she had rendered to Britain.

In the relevant "Indian Year Book" issued under the editorship of Sir Stanley Reed, LL.D., occurs the cautious but very significant statement, "Probably no other Act of the Indian Legislature has touched Indian susceptibility to the extent that this Act has done. It was passed against the unanimous opinion of the elected non-official members of the Indian Legislative Council."

The forcing of the Rowlatt Act through the legislature had the effect of bringing together under one banner every part and every creed. The country found in the attitude of Government justification for the apprehensions felt all along that, with the signing of the Armistice and the end of the necessity of Indian co-operation in the prosecution of the War, the administration would revert to its old time policy of checking as far as possible all political progress. The passing of this Act at a time when we were about to get an extension of self-government led India rightly or wrongly to think that fundamentally the British administration was not only cynically distrustful

but also hostile to freedom. Gandhiji gave expression to this view when, on the eve of the Non-Co-operation Movement, he observed:

"I have a right to interpret the coming Reforms by the light that the Rowlatt legislation throws upon them, and I make bold to promise that if we do not gather sufficient force to remove from our path this great obstacle in the shape of the Rowlatt legislation, we shall find the Reforms to be a whited sepulchre."

Genuineness and Representative Character of Indian Opposition

It is a matter of surprise as well as of regret that many British officials permitted themselves to give utterance to views with regard to the Indian opposition to this Act which cannot find ready acceptance. For instance, Sir Michael O'Dwyer in his memoirs has said that "when introduced it had the general support of many Indian members, but as the agitation against it . . . . grew in volume and violence, these were frightened into open or passive opposition. When the Bill was passed into law on the 18th March, 1919, not a single elected Indian member voted for it, though some, to my certain knowledge, approved of it" ("India, As I Knew It," p. 266).

Similarly, Sir Reginald Craddock in his "Dilemma in India" (page 185) has said: "There were Indians in the Council who would have supported the Bill, and in private highly approved of it, but were too timid to vote in its favour under the pressure exerted by the professional politicians and the Press. I know this because I have heard it from some of them."

Obviously, statements of the above type must have been made privately to Sir Michael and Sir Reginald. We have, first of all, no information as to the number of those who held the above views and communicated them to their British friends. There is no proof that they formed a respectable proportion among the Indian members for, if that had been the case, it is almost a certainty that, with the constant lobbying that was going on at that time when it was but natural for Government to seek the support of at least some Indians, they would have voted with Government and kept one another in countenance. It has also to be borne in mind that we have no proof that those who made them were telling the truth when they stated that they approved of the Bill. Their conduct may be explained by

their desire to stand well with these high officials who were only too likely to have been offended when they opposed a Government measure. One would also like to know whether such statements were made spontaneously or in conversations when enquiries were made as to why they had failed to support Government.

So far as the question of timidity is concerned, we must remember that if responsible public men in India are so timid, how is it that the Indian members of the Rowlatt Committee signed the report knowing full well the odium they were courting by doing so and what about the courage of those Indian Police Officers who were investigating terrorist crimes, giving evidence and sometimes even prosecuting terrorists ?

Lastly, in the absence of even a hint as to any difference of opinion among the non-official Indian members of the Council with regard to their attitude to the Rowlatt Bill, the only inference one can draw is that when they voted as they did, they were really representing the views of their countrymen at large. They had not been elected to voice their individual views but those of their electors and they had merely done their duty when they had opposed the Bill. The expression of their views as individuals as regards the desirability of repressive legislation of this type does not, to the slightest extent, affect the validity of the opinion that India as a whole condemned the Rowlatt Act and was determined to adopt measures to have it repealed.

The Two Schools of Indian Political Thought

Two ways were open to India to have the Rowlatt Act annulled —the way of constitutional agitation and that of passive resistance. Leading Moderates of the time were, naturally enough, in favour of the former and drew the attention of the politically minded section of the people to the success which had been achieved by it in modifying the partition of Bengal after a struggle carried on for nearly six years. They also emphasised the effect of identical methods in compelling Government to cancel their internment orders on Mrs. Besant and her two lieutenants. They, however, added that to ensure success, the agitation would have to be carried on systematically, persistently and over a fairly long period.

Those who disagreed with the Moderates and these, it may be added, were impatient for immediate results and were generally

more militant in their outlook retorted by saying that after the annulment of the Partition, Government had armed itself with many laws in order to crush agitation. In their view, it would not show much hesitation in utilising them to meet even constitutional agitation conducted against the Rowlatt Act. They also said that every effort to induce Government to postpone the consideration of the Rowlatt Bill or to modify it in such a manner as to remove its most objectionable features which had been made according to strictly constitutional methods had been frustrated by it. Mahatma Gandhi was there with his message of Passive Resistance by which he had achieved wonders. Before Moderates had come to a decision as to what their next move should be, the initative had already passed to a new leader.

The Results of the Rowlatt Act

Let us turn now to what, a nationalist and a friend of both India and Britain said with regard to the effects, the forcing of the Rowlatt Act had on the political atmosphere of our motherland. On page 136 of his "British Connection with India," K. T. Paul says,

"Never was a more tragic debacle perpetrated in the relationship of two great nations. The work of a dozen eventful years, from the day Morley came to the India Office, by good and great men of both races, in nurturing almost into fruition the delicate plant of mutual confidence was dashed to the ground at the obstinate demand of administrative safety and efficiency. After all, the Rowlatt Act was never put into operation—not even once—till it was removed as worthless from the statute book; there was never any need for it, not even during the period of intense political agitation amounting to a revolution. As a legislative measure its futility is registered by itself; as an administrative act it is a great and final judgment on a bureaucracy, the most efficient and benevolent ever developed in human history; and therefore on all bureaucracy as a human system."

K. T. Paul summaries his conclusions in one short and significant sentence in the following terms:—

"The complete reversal of the psychological situation from a convinced and mutual confidence, has been the tragic background of the situation all these eventful years."

K. T. Paul died on the 11th April, 1931, and what he had said in 1917 when he published his book from which the quotations given above are taken is true even today—loss of faith in the *bona fides* of the British administration with its corollary, the determination of India to no longer beg for political boons but to wrest them from unwilling hands.

Dr. William Roy Smith in his "Nationalism and Reform in India" (page 234) was referring to all these facts when he said,

"Although this act (Rowlatt Act) was on the statute book for three years and was never actually enforced, it aroused tremendous opposition, and its permanent influence will probably be greater than that of any other measure ever enacted by the Government of India."

It is said that Dr. Smith, an American investigator, in spite of his close study, travel and interest in the people and problems of India for nearly two decades has over-stated his case, India in reply would point out that, in their life of Mahatma Gandhi, the authors, an Englishman, R. M. Gray, and an Indian, M. C. Parekh, in summing up the effects of the Rowlatt Act on Indian public life have given expression to almost identical views in the following terms:—

"The fact remains that it (Rowlatt Act) was an unprecedentedly ruthless defiance of the sentiments of a people. And the whole of the bitter fruit of it has not even yet been harvested."

The passing of the Rowlatt Act, the greatest blunder of British officialdom, had the effect of summoning Mahatma Gandhi to the leadership of a united India consisting of both the masses and the classes, of Hindu, Muslim, Sikh and Parsi and of communicating life to the dead bones of Indian politics. From one point of view, the Rowlatt Act had the very valuable effect of affording an opportunity for giving outward expression to the unity which had been gradually established among the different sections of the Indian population.

THE TWO COUNCILS THEORY OF LORDS MACAULAY AND DALHOUSIE

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THE object of this paper is to study the text and implications of the Charter Acts of 1833 (3 and 4 Will. IV, Cap. 85) and 1853 (16 and 17 Vict. Cap 95) so far as they provided for two separate and independent councils of the Governor-General, namely, the Executive and the Legislative.

The author of the ' Two Councils ' theory under the Act of 1833 was Macaulay, the first Law Member, who, on assuming the charge of his office, recorded a minute, dated 27th July, 1834, [1] contending that the Act of 1833 purported two councils, differently composed, the one Legislative, and the other Executive. As regards their respective competence, he was sorry to find the Act silent. Nevertheless he maintained that failing a general principle governing the line of demarcation between the legislature and the executive, it would be safe to presume that the intention of Parliament was to base the division of the powers of the Government of India on the model of England, that is, the Executive council to exercise the same prerogative as did the British Crown, and the act of the Legislative Council to be considered necessary in all such cases where correspondingly the acts of Parliament were passed. So in the light of that construction, he concluded that a vote of the Legislative Council was essential in the matter of expansion of the army in peace time imposition of taxes, borrowing of loans, detention of state prisoners, ratification of treaties and the declaration of War.[2]

[1] Political Consultations, 9th August, 1834, No. 7.

[2] " It follows that the army cannot be augmented in times of peace; that taxes cannot be imposed even for local purposes; that money cannot be borrowed on the public faith of the Indian Empire, without a vote of the Legislative Council. No state prisoner can be detained in custody without such a vote. No treaty with any neighbouring power, stipulating for any payment of money on our part, will be binding without such a vote. It is plain that, if this rule be adopted, the Legislative Council will exercise in India, as the Parliament in England, a control over almost all the proceedings of the Executive Government. Though the fourth member may have no vote on a question, for example, of going to war, yet he will have a vote when the question is about furnishing the sinews of War, and his opposition to the question of supply may prevent the Executive Council from carrying into effect, or may force the Governor-General to have recourse to his extraordinary authority."—Political Consultations, 9th August, 1834, No. 7, para. 6, No. 8, para. 3.

Lord William Bentinck, in his Minute of 31st July, 1834, took strong exception to the view expressed by Macaulay. He asserted that the Act made no alteration in the character of the Governor-General-in-Council, and that it remained indivisible for executive and legislative purposes. According to him the Council in its Executive capacity could make peace and war, raise money and do all it had done before without the interference of the same Council in its legislative capacity to give validity to its acts ; and that the only restriction imposed upon its legislative authority was that in making laws it was essential to have the advice of the Fourth Member and that no law could be enacted unless there was a quorum of three members.[1]

The Minutes quoted above, were transmitted to the Court of Directors for its consideration.[2] But the Directors, in their despatch of 4th March, merely intimated that they had referred the matter to the Crown lawyers.[3] In the second despatch they pointed out on the advice of these lawyers that the Legislative Council was not competent to impart legality to the proceedings of the government, which were otherwise *ultra vires* of the Act.[4]

The reply of the Directors was too vague for Macaulay to drop his contention that the Act provided dualism in the authority of the Government of India. The controversy was revised when the standing orders, proposed by Macaulay, came in for discussion before the Council in June 1835.[5] Mr. Prinsep, in his Minute of the 11th June, strongly objected to the rule, which provided that the communications bearing on the proposed laws should be received directly by the Legislative Council and that all the correspondence relating to such projects should be done by the same body. He proposed, on the contrary, that all the drafts of laws sent in by the Subordinate Governments should, prior to their being laid before the Legislative Council, be considered by the Executive Council in the department to which they belonged; that the Executive Council might amend, revise or approve of them before transmitting them to the Legislative Council; that all correspondence with the subordinate authorities, with the Law Commission, and with the Local Government, should

1 *Ibid.*
2 Public Letter to Court, No. 10 of 1834.
3 Legislative letter from Court, No. 1 of 1835.
4 Legislative letter from Court, No. 2 of 1835.
5 Legislative letter from Court, No. 2 of 1835.

be carried on through the Executive Council only.[1] As for the expediency of having two governing bodies he was of the opinion that it was highly inadvisable to teach the public authorities, that they were subject to the command of two masters. Then again, he argued that the creation of the Legislative Council as an independent organ of the government would create serious practical difficulties. He foreboded that a trouble was likely to arise if the orders of the Legislative Council were to be neglected or disobeyed. He also pointed out that if the Legislative Council were to enforce its own orders, it would have to appropriate the functions of the Executive Council, and in case it did not, he inquired as to who else would then carry out its behests.[2]

Macaulay remained unimpressed by the arguments advanced by Mr. Prinsep and he reiterated his view-point in a later minute of the 13th June.[3] To the objection against having two supreme authorities, he answered that the Act provided two councils, the one vested with the supreme legislative authority, the other armed with paramount executive powers; and whether that was a convenient arrangement or not, it was not for them to undo what Parliament had ordained for them. So he maintained that under no arrangement could they lawfully transfer the functions of the Legislative Council to the Executive Council. To the argument that if the Legislative Council were to take the enforcement of its orders in its own hands it would soon become an Executive Council, he replied that the confusion of legislative and executive functions would of course be a frightful evil, but not a jot less, if the Executive Council were to monopolize the functions of a Legislative Council. He asked in return: What would happen if the Executive Council neglected to procure the information sought for by the Legislative Council? Whence was the punishment to come? and how would the information be procured and finally what if the two councils disagreed?

He maintained that if the Parliament gave them the power to legislate, it presumably invested them with all the powers incidental to flawless legislation.[4]

1 Legislative Consultations, No. 11, of 6th July, 1835.
2 *Ibid.*
3 Legislative letter from Court, No. 2, of 1835.
4 "When the Parliament," he said, "gave us the power of legislating, it gave us also, by necessary implication, all the powers without which it is impossible to legislate well. I see no reason why the Legislative Council may not correspond directly or call for

However, towards the close of his minute, Macaulay expressed his willingness to refrain from opposing the suggestions of his colleagues, if they considered it advantageous that the Executive Council be interposed " as an organ of communication between the Legislative Council and other bodies even though personally he considered it undignified for the Executive Council to adopt that position, and viewed the imposition of such an intermediary as likely to cause delay and inconvenience in the despatch of the Legislative business. But if it was intended, as he presumed that Mr. Prinsep meant, that the Executive Council should do all the work ' incident to legislation except the final passage of law,' he said that he had not the least hesitation in pronouncing that proposition as *highly pernicious, opposed to the spirit and letter of the Act, and contrary to the instructions of the Court of Directors.*

To set at rest all doubts, the Government of India adopted a resolution,[1] by which it declared that the Legislative Council was not distinct from the Executive Council, and further determined that there should be but one Council with separate Legislative department. They further resolved that all legislative proposals should first be considered by the Governor-General-in-Council in the Department to which it related, and then, if approved, be transmitted to the Legislative Department. The resolution and the draft of standing orders were communicated to the Court of Directors, who without taking any notice of that determination of the Government of India, simply expressed their approval of the standing orders.[2]

The theory of independence and distinctness of the Legislative Council was of great significance ; had it obtained the official sanction, it would have greatly strengthened the position of the Law Member, and through him the authority and status of the subsequent Legislatures. But unfortunately the *theory*, from the very start, did not find favour with the authorities in England or in India. The Resolution of the Government of India took the very bottom out of Macaulay's *claim.* It frustrated his attempt to raise the Executive Council of the Government of India with the addition of the Fouth Member to the status of a Legislature. Such

information from any public functionary ; why it may not, if it is considering the draft of a law, or a military or a financial subject, require the attendance of the Military or Financial Secretary."

[1] Legislative letter from Court, No. 2, of 1835, Resolution dated 6th July, 1835.

[2] Legislative letter from Court, No. 4, of 1837, para. 20.

an endeavour was bound to be abortive because 'separation of powers' as yet found no place in the Indian Constitution.

Most probably Macaulay's predisposition towards the original scheme of the Legislative Council,—as proposed by Lord William Bentinck's Government in 1830-31,—and his liberalism led him to emphasise the statutory discrimination in the constitution and quorum of the Governor-General-in-Council assembled for the executive and legislative purposes, made him conclude that the 'Governor-General of India in Council in its legislative capacity' was an independent statutory body co-existing with the Executive Council for purposes akin to that of a legislature of the parliamentary government. But despite one's regard for the ability and knowledge of Macaulay, it is rather difficult to reconcile his interpretation with the provisions of the Act. Sections 40, 43 and 48 of the Act of 1833 do not convey that sense. Section 40, which governed the composition of the Governor-General of India in Council, prescribed that the Fourth Ordinary Member, selected in a different manner, was to be a member of the Governor-General-in-Council with the proviso that he was not entitled to sit and vote in the Council except at its meetings for making laws and regulations. Section 48 laid down that laws and regulations should be made only at such meetings of the Governor-General of India in Council when the Governor-General or, in his absence the President of the Council, with at least three ordinary members, were present thereat; section 43 conferred upon the Governor-General-in-Council the legislative powers enumerated therein. It did not contemplate to create a distinct Legislative Council, the Act purported only to differentiate the functions of legislation from that of administration. The Governor-General of India in Council in its legislative capacity was very often denoted by the term 'Legislative Council'; but legally speaking it was nothing but an extension of the 'Governor-General of India in Council assembled for the purpose of making laws and regulations.'

In 1854 the two Councils theory was reiterated by Lord Dalhousie, with the only difference that now it came from the mouth of the Head of the Government and was accepted by his Government. The 16 and 17 Vict. Cap. 95, S.22 related to the composition of the 'Governor-General-in-Council assembled for the purposes of making laws and regulations.' According to the construction he

placed upon it, the power of making laws and regulations after 20th May, 1854, *i.e.*, the date on which the Legislative Council met for the first time, was transferred from the Governor-General-in-Council to the Legislative Council, constituted under section 22, which he implied to be an independent organ, exclusively empowered to enact laws for British India.[1] This presumption found a more concrete form in the standing orders of the Legislative Council, which were adopted a little later by the Government. The first standing order ran as follows:—

"……the words "Legislative Council" shall be deemed to mean to the Council of India, constituted according to the provisions of the 16th and 17th Vict. Cap. 95 for the purpose of making Laws, and the words "Governor-General-in-Council" shall be deemed to mean the Governor-General of India in Council, not so constituted." Similarly the distinction between the Legislative Council and the Supreme Government was emphasised in the 5th Paragraph of the circular letter issued on August 20, 1854, by Lord Dalhousie's Government to the Provincial Governments, stating therein that they should send their observations on the published bills directly to the Legislative Council.

The same sense was somewhat vaguely signified by Sir Charles Wood in his despatch of the 23rd of December, 1854. He wrote: "……I look upon all the Councillors, Secretaries, etc., as so many machines for lightening the labour of the Governor-General, and for doing what I may call the mechanical work of the Government. I have made him (Governor-General) more absolute than he was in the Executive Council, and I do not wish to make the Legislative Council a body, which does more than aid him in law making. The Executive Council is to aid him in administration, the Legislative Council in law making. I admit, of course, that the latter must be more independent, but I do not wish to make it a body that is likely to take upon itself more weight or authority than is necessary for the purpose of elaborating laws. I do not look upon

[1] See his minute of the 17th May, 1854. The same view he implied in his despatch of the 16th March, 1855, written to the President of the Board of Control. After defending, his position that he had not conceded to the Legislative Council, any greater power than the law had clearly conferred upon it, he observed: "I must be guided by the statute of 1853. Its provisions have given to the Legislative Council the independence, which I have ascribed to it. The Governor-General cannot help himself. Except the final veto after the passing of an Act, he has none of that over-ruling power over the Legislative Council which the law gives him over the Supreme Council."

it as some of the young Indians do, as the nucleus and beginning of a constitutional Parliament in India."[1].

Sir Barnes Peacock (the Chief Justice of the Supreme Court) and Sir Charles Jackson also subscribed to this view and their leanings towards this conception were manifestly clear in the debate on the resolution concerning Mysore Grant.[2]

The exponents of the theory of 'Independence of the Legislative Council' based their proposition on the sanction of 16 and 17 Vict. C. 95, S. 22. Now let us see if this provision made any substantial alteration in the constitutional law as it prevailed before 1853.

Section 22 reads as follows:—

"For the better exercise of the powers of making Laws and Regulations, now vested in the Governor-General of India in Council, the several persons here-in-after mentioned shall, in addition to and together with such Governor-General and the Members of the said Council, under the said Act of the third and fourth years of King William the Fourth, be members of the said Council of India for and in relation to the exercise of such powers of making laws and regulations as aforesaid, and shall be distinguished as Legislative Councillors thereof."

By the perusal of this Section it will be noticed that the Act merely ordained to add a few members to the Governor-General-in-Council, to be known as the Legislative Councillors so that the council might make a better exercise of its legislative powers. The statute further clarified that the Legislative Councillors should sit in the Council only when it were to assemble for the purpose of enacting laws and regulations. Lord Dalhousie interpreted the provisions to mean that the powers vested in the Governor-General-in-Council were transferred after the enforcement of the Act to the Council constituted under Section 22. But in view of the explicit language of the Act, it is difficult to reconcile it either with this opinion of Lord Dalhousie or with the conception of the independence or separation of the Legislative Council. The words *now vested in the Governor-General of India in Council* and those following read in the background of parliamentary rules, practice, and attributes of the Legislative Council, might create an impression that the Act connotes the Legislative Council to be a body, different from the

[1] Legislative letter from Court of 23rd December, 1854.

[2] The proceedings of the Legislative Council of India, Vol. 6, pp. 1344-49, 1363-67 and 1402.

Governor-General of India in Council. But *prima facie* this conception is not only far-fetched, but also erroneous; for the words *be members of the said Council of India for and in relation to the exercise of all such powers of making laws and regulations as aforesaid*, defy all such construction. The Act merely referred to the Governor-General-in-Council in its legislative capacity. So consistent with legal tenets, the Legislative Council could be said to be another name of the Governor-General-in-Council assembled for the purposes of making Laws and Regulations. The Legislative Councillors were members of the Governor-General-in-Council exactly in the same manner (except a subtle distinction that the Fourth Ordinary Member was virtually a part of the Executive while the Legislative Councillors were not) as legal member was a member of the council prior to the passing of the Act of 1853, that is to say, they were not 'to sit and vote in the Council except at its meetings held for purposes of making Laws and Regulations.' These were the words used in 3 and 4 Will. IV. C. 85 respecting the Fourth Ordinary Member of the Council and precisely the same words, as adverted to little earlier, were used in 16 and 17 Vict. Cap. 95 respecting the Legislative Councillors. So, if legally, Macaulay was wrong, Lord Dalhousie was equally wrong in presuming that 16 and 17 Vict. Cap. 95, effected the separation of the Legislative Council from the Governor-General-in-Council. This view finds a further support in the Leg. despatch of the Government of India No. 6 of 1861,[1] in which the Government advanced almost the same opinion and the speech of Mr. Cecil Beadon on the Mysore Grant.[2] In fact the legal position as it was created by the Act of 1833, did not undergo any change till 1915. The Legislative Council of the Governor-General remained as it was in legal character, 'the Governor-General-in-Council of India assembled for the purpose of making laws and regulations,' and had no separate and independent existence from it.

The concept of 'Two Councils Theory' was of momentous importance, for it implied a dual authority at the centre of British

[1] Para. 8 runs as follows :—"We cannot but think that it is a mistake to speak of the Legislative Council as an institution distinct from the Governor-General-in-Council as is done in the standing orders of the Legislative Council or as is done in the 5th paragraph of the circular letter of 1854, to speak of the 'Supreme Government,' as distinct from the Legislature."

[2] The proceedings of the Legislative Council of India, Vol. VI, p. 1376, Mr. Beadon's words were :—"This Council.....was not a body separate from the Governor-General-in-Council, or in his absence the Vice-President in Council, and these meetings were meetings of the Council of India for making laws and regulations."

India. So if instead of the Unitary form of constitution, the British system of Government in India had come to be based upon this principle, the whole process of centralization and absolutism would have been reversed. The Legislative functions, which were so far then, taken to be subordinate to the Executive ones, would have come not only at par with the latter, but through their intrinsic importance, would have accrued strength and dignity to the Legislative Council. The supremacy of the Legislative Council, even if had not immediately served the cause of democracy, would have surely given a fillip to the growth of responsible government in India when the process of Indianisation of the legislative bodies commenced. The experiment of 1853 served a good example. Even if the Legislative Council was not a representative and responsible organ, at least the boldness it had cultivated under the influence of this theory, and the attempt that it made to extend its competence and functions, could all be turned into a useful lever of power for the non-official members, who entered later into the Council. But this presumption which had a germ of responsible government, was soon controverted by the Executive, not so much for its legal fallacy, as for its potentialities. The Parliamentary form, procedure, and flourish of the Council, viewed in the light of Lord Dalhousie's theory of the separation of the Legislature from Executive, etc., and his previous recommendation of including one Indian member in the Council raised certain misgivings in the minds of the Home Authorities that under the cloak of those formal attributes, a representative system might not stealthily find its way in the fortress of their autocratic regime. Despite the fact that the Council consisted wholly of the English Officials, a slight boldness and inquisitiveness shown by it, occasional harmless prying into the affairs of the Executive, an uncerémonious presentation of few unsuccessful petitions for redressing the grievances, and the public rejection of certain bills, put the executive off its heels. The rulers of India wanted legislation to be a subordinate function of the Government and expected the Legislative Council to function merely as a Legislative Committee of the Executive Council. They could not, therefore, suffer to let the Legislative Council form a 'nucleus of Constitutional Parliament.' Their answer was the Act of 1861, which circumscribed the competence of the Legislative Council to that of mere legislation.

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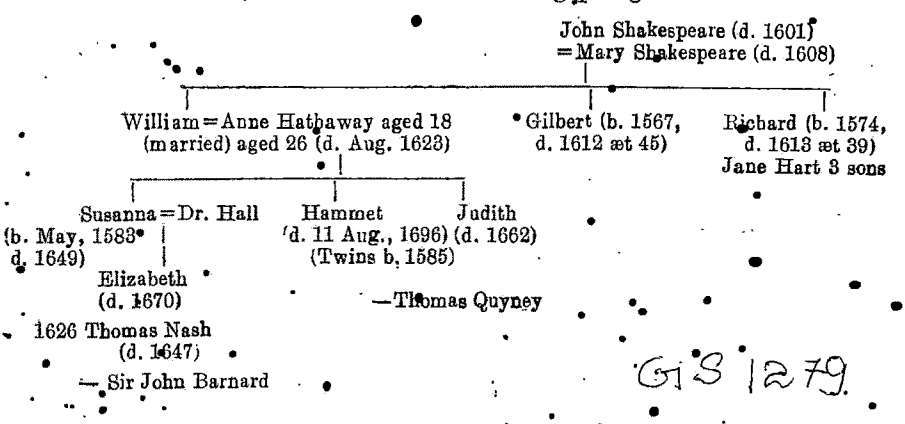
SHAKESPEARE: HIS LIFE AND WORK

SIR HARI SINGH GOUR, KT., M.A., D.LITT., D.C.L., LL.D.

NUMEROUS works have been written on the life and works of the greatest of the English Poets, but all of them complain of the dearth of materials to complete his life, while a school of thought still exists to popularise its view that as a poet William Shakespeare was a fiction and that as a poor actor he had acted and appropriated the plays of which the real author was Francis Bacon, the author of his famous *Essays* who had pseudominously composed and published the works ascribed to Shakespeare who never possessed the genius to compose them since he was no more than an ordinary actor and a business-man who had, like most aspirants of his time and now, migrated from the country to London to make a fortune which he did, and from which he retired to his native town of Stratford where he died on the 23rd April, 1616, on the day he had completed the age of fifty-two years. He was born on the 22nd or 23rd April, 1564. It is said that the 36 plays that go by his name contain no internal clues to any incident in his life from which his authorship of any of the plays or any fact of his life can be ascertained and there is no contemporary record to authenticate his life or the poems and plays that go by his name.

Shakespeare was the son of a poor butcher by name John of Stratford who rose to be the bailiff in 1568 when William was but an infant four years old and who from that year began to decline in business till a warrant for his arrest for debt was issued in 1573 and thenceforth he precipitated into his penury and want till his death in 1601.

His relations are shown in the following pedigree :—


John Shakespeare (d. 1601)
=Mary Shakespeare (d. 1608)
William=Anne Hathaway aged 18 (married) aged 26 (d. Aug. 1623)
Gilbert (b. 1567, d. 1612 æt 45)
Richard (b. 1574, d. 1613 æt 39)
Jane Hart 3 sons
Susanna=Dr. Hall (b. May, 1583 d. 1649)
Hammet (d. 11 Aug., 1696) (Twins b. 1585)
Judith (d. 1662)
Elizabeth (d. 1670)
—Thomas Quyney
1626 Thomas Nash (d. 1647)
—Sir John Barnard

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When we speak of the scanty records of our great men, we fail to consider that many men are born great, while upon others greatness is sprung on. There is yet a third class whose greatness is *post obit* and grows with age till its colossal grandeour wholly eclipses the few if any facts that can be taken as true. Many of the greatest men of the world belong to this class. In their life they passed unnoticed, or if noticed they were surrounded by friends and foes, friends who are slow to praise, but foes who are quick in their malignity, with the result that a man's acts become the objects of heated controversy, and after he is dead time has quelled their interest, as witness the Home Rule controversy agitated in Gladstone's day. Many men associated with great movements owe their greatness to the cause they had taken up. Take, for example, the case of Mahatma Gandhi. He has united India for political ends, but once India gets freedom, his idealism will give place to the realism of numerous problems, like the Permanent Settlement of Bengal, the question of Exchange, and the like, which would make the Mahatma a back number. And such have been the lives of the world's greatest men, for example Gautam Buddha, Jesus Christ and Mahomed, of whose real lives the true facts are little known, but whose *post obit* greatness called for the fabrication of facts and incidents commensurate with their vaunted greatness. The same is true of Shakespeare, but to a much smaller extent, because Shakespeare was a mere poet and not engaged in any controversy. His case is like that of the hundreds who are born in the gutter and reach the pinnacle of power by sheer dint of ability, courage and perseverence, but following as they do the normal routine of life, their lives can be summarised in a few words and after they are dead they are as good as never born.

As such, there is no reason to complain that we know very little of the personality of Shakespeare, and in fact even his identity is doubtful. Without delving into the potencies of his existence, I wish to draw a rough outline of his life and work, basing my authority upon such facts as I consider well-proved and such references as I consider well-justified.

To begin with, William Shakespeare was the eldest of the three sons of John Shakespeare, a butcher and glover. He cured, dressed, and made gloves out of the skins of horses, deer, sheep, goats and dogs. As already stated he rose to be the bailiff or Mayor of

Stratford, but only a few years later (1568) he fell upon evil days, a warrant for his arrest being issued in 1573; though it did not curb his ambition to be a gentleman with a coat of arms for which he had applied in 1576, but which he declined in the following year when he withdrew from the magisterial bench and started a struggle with penury and want till his end at the close of the century when William was at school at the King's Free School at Stratford from where he emerged in "rude ignorance" aged twelve, but not without knowledge of a little Greek and more of Latin as is clear from his copy of Ovid now in the Bodleian Library at Oxford. In his day actors, rogues and vagabonds were a social scourge and treated as such. As such William tried his hand at his father's trade but gave it up and tried his hand at odd jobs, but his innate instinct attracted him to troupes of wandering actors, some of which included the best artists of the day, which pointed his way to the Metropolis where he started life holding the horses of theatre-goers for which he engaged boys who were much in demand, the more so as William was handsome and well-shaped, but there was nothing outstanding in his face or figure to make him especially attractive.

Stratford is a small place with the present population of 11,600. In Shakespeare's time its population could not have been more than about 1,500, the more so as everybody in the country drifted to London where money was to be made. Stratford is 103 miles from London; poor people used to walk all this distance.

The legend that he was driven out of his native town on account of poaching in Thomas Lucy's park and stealing his deer for which he was whipped, might have been a trivial incident, but it appears now to be one of these apocrypal paradoxes that embellish the lives of many great men. The fact is that Willie was bold and adventurous but scrupulously careful, courteous and honest, and in the days when drinking was common he was comparatively sober and comparatively temperate, though before he was eighteen he had seduced his wife Anne, eight years his senior, who became *enceinte*. For which he yielded to the pressure of Annie's Friends and obtained a licence of marriage dated 27th November, 1582, and in the following May he had his first child by her and two years later she was delivered of twins, a boy and a girl. The boy died quite young, aged 11, and Shakespeare's life-long ambition to beget a son was never gratified, the more so as Anne's marriage to him was forced

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on him by necessity which he resented and kept in his mind for the rest of his life. He does not appear to have consorted with his wife for any length of time, nor is there any evidence that she joined him in London to look after his household, for which he had evidently other ladies of his choice to look after. Willie had no strong religious conviction, and in the whole of his life he by-passed religion and execrated the spiritual cloak of the Catholics and the Protestants with contempt "A plague o' both your houses." His popularity as a groom in waiting reached the stage and its patrons, one of whom, Henry Wriothesley, third Earl of Southampton then 16 and a law student, took him inside and had him appointed a call boy to actors who were winning money by providing gaiety and entertainment to the idle rich who treated play-going and public executions as popular pastimes. The collection of easy money created rivalries and jealousies, feuds, intrigues and quarrels which he could not help watching from his mean attic in Shoreditch, then a slum suburb of London. Nor could he have failed to admire the gold-mine that his masters found in Marlowe's *Tamburlaine* which fired his imagination and kindled his ambition to try his hand at the dual art of acting and play-writing, both of which he tried as an alluring bait for making money for which he had adventured to London. Much has been written about the idyllic scenery of Stratford-upon-Avon which enriched his imagery and fired his fancy. But as Keats has truly observed: "The real poet has no identity: He is continually filling some other body," rather "He has no identity but continuously creates his own bodies." Take for instance the well-authenticated instances of Thomas Moore who composed the "Lalla Rookh" in which he has drawn upon the enchanting beauties of Cashmir, and Milton who, though blind, was all the more equipped to view his "Paradise." When I was a student I visited the graveyard which had inspired Thomas Gray to compose his immortal "Elegy," but that graveyard was like any other graveyard, which gave nothing but a faint inspiration to the poet. So it was with Shakespeare. As every student of Psychology knows, the human brain reaches its development on the completion of the fifteenth year, after which it collects wisdom and knowledge, scenes and experiences, which it keeps on doing till death. Shakespeare was about twenty when he started life as a groom boy in London, and aided by the patronage of Southampton, he became an actor and

then a shareholder in the two leading theatres of the day—the Globe and the Blackfriars. But his own and a King's were insufficient, for we have it on record that he had received a monetary gift of £1,000 to purchase a share in Lord Chamberlain's company. It is said that this figure should read as £100, since the pound in those days was equivalent in purchasing power to 10 or more today. In any case, Southampton and his kinsman the Earl of Essex, favourite of Queen Elizabeth, were both his patrons and so were many others who were all theatre-goers and being a boisterous quarrelsome lot, gaming, drinking and harlot-hunting they knew most of the players loudly cheered what they liked, loudly hissed what they disliked, and being the power behind the throne, their patronage was all in all to make or mar a man, whether upon the stage or off it, in any position in the kingdom.

That Shakespeare had to develop a low sycophancy to retain their patronage is obvious from the dedicatory epistles to his first-published work *Venus and Adonis* (1593), and *The Rape of Lucrece* (1594). But Shakespeare knew that these titled nobodies were creatures of the moment and while at one time they were commanded to warm the bed of their sovereign, at another time their bodies hung from the gallows. But while in power Shakespeare clung to them and did nothing to loosen their patronage. But he was too shrewd and observer of the passing vanity of mankind not to have memorised and profited by all that he saw going on around him, and he gave expression to them in his plays which he had composed for the stage in which he had a share. Women's part in his time was taken by boys, and as it was an obvious fake endured by the audience, he was careful to interperse his dramas with as few female characters as possible, but as many of his plays were drawn from history he could not do without them.

The fact that Shakespeare was out to make money and so wrote only plays to make it, distinguishes him from the other poets in the singular lack of variety; for besides the plays and 154 sonnets composed in and before 1595 (when there was a boom in sonnets, though his were not published till 1609) all the dramas and other poems were composed between 1593 and 1611, when he retired. Between that date and his death in 1616 he passed his time as a country gentleman, managing his own property, the New Place that he had purchased. During this time he used to visit London every

year to be in touch with his property and friends, but as a poet he had ceased to be: not that his poetic vein had dried up, but rather because he had no need to worry himself in writing new plays as all his plays were written as a part of his business duty, and he sold none to other companies but staged them himself to draw fresh audiences and make more money of which he had amassed a lot which yielded him an annual income of £200, equivalent to our £3,000, on which he lived in comfortable luxury and good health, grown stout, nearly bald of his red hair, heavily footed and easily tired. Though still in the prime of his life, William seems to have started to suffer from an overstrenuous period of his business years. For his old wit and hilarity had disappeared, he was often moody and morose, silent and only occasionally hilarious. He used to mount his horse and trot along the lanes to spend a few hours with one of his numerous relations and friends. His memory began to fail him, and though he could not stand drink and seldom drank to excess, it is a paradox that he died of drink. For in March, 1616, he had a merry meeting with his old friends, the poets Ben Johnson and Drayton in whose company and for whose sake he drank a glass or two more than was his habit. He took to bed complaining of fever, from which he never recovered, having died on the completion of his fifty-second year to the day—the 23rd April, 1616. He was buried in the chancel of the parish church and on his tombstone were inscribed the following lines composed by himself as his epitaph:

> Good Friend, for Jesus sake forbeare
> To dig the dust enclosed here ;
> Blest be the man that spares these stones,
> And crust be he that moves my bones.

He wanted the rest and repose for his bones that he had enjoyed in his retirement. As will be seen from the pedigree before given, he left no male descendant to inherit his estate, for which he longed but in which he was disappointed.

No sketch of Shakespeare's life would be complete without some reference to his character during the period of his stay in London. It appears that he was frugal in his habits, temperate in his drink but as was usual, and indeed fashionable, he had a mistress, referred to as the " Black Mistress " in his Sonnets, much from whom he drew for the depiction of Cleopatra. He had fallen in love with

Mrs. Davenport because of her beauty and wit—to which Shakespeare had always been susceptible. If there is one fact which all men in all ages share in common, it is the sexual morality. I may differ in degree and but the difference is invariably one of the degree but not of kind, since the instinct of procreation implanted in all sentient life is one of the strongest urge in life, and man as a part of sentient creation is not free from it ; his jealously towards his fellowman is not his own. As such, we should judge of the great poet, as we do of the great philosopher like Socrates. Shakespeare had an innate leaning towards the fair sex, the more so because he was the shining light of the stage, by no means a great actor, but none the less a successful businessman. In London he had a mistress, like his noble patrons, and when he toured to the country annually, with his troupe, he fell in love with women, one such was the wife of a publican by name Davenport, by whom he got a son William, born in 1606. William who is said to have inherited his genius, succeeded Ben Johnson as the Poet Laureate and was knighted.

His patron Southampton belonged to the aristocracy, and both he and his kinsman Essex, and indeed all of that station in life, bankered after pretty girls whose love would raise them in the social scale. Thus Essex won Queen Elizabeth, and Southampton Elizabeth Vernon, one of the Queen's ladies-in-waiting, for which he was expelled from the court. On the 10th February, 1598, he left Vernon pregnant, and left for France, though he afterwards secretly returned and married his mistress, but the queen would not forgive and imprisoned both her maid-of-honour and Southampton, though incarceration was cancelled, thanks to the good offices of his friend Essex, whose supremacy in court was on the wane since Cecil had now the power, and his rivalry finished Essex who was beheaded on the 25th February, 1601.

Shakespeare detested the Queen, but being an actor and a playwright he was careful to be discreet and when on her death the throne was inherited by James I, Shakespeare had to secure his patronage which he did in the only way he could by securing the patronage and support of his new courtiers, for which he laboured, pleased and intrigued, and as he was still in the category of players, jugglers, rogues and vagabonds, he improved his social standing by applying for a coat of arms, the grant of which raised his status to that of a gentleman. But what was more important, on the 19th May, 1603, he managed to secure the Letters Patent, appointing

him and his troupe as the King's actors entitled to perform and play "within any town-halls or moot-halls or other convenient places in any city, University, tower or borough whatsoever," and all Justices, Mayors, Sheriffs, Constables, Headboroughs and other officers were commanded to aid and assist them. Shakespeare and his eight fellow actors now became King's men, included among officers of the Royal Household, styled "Grooms of the Camber" without fee, entitling them to wear the royal livery which Shakespeare donned for a fortnight while playing the part of a groom.

But these notable achievements were not due to the excellence of his plays or the superiority of his acting—they were Royal Favours gained by following the orthodox method of cajolery, flattery and corruption. Shakespeare did not disdain to adopt these means to gain his end, the more necessary because he had to face the competition of numerous troupes who were crying for similar favours. But with all that Shakespeare strove to live his own life above the brawls and cabals of parties and cliques. And he strove hard to retain his hold on the public by producing new plays as soon as the old one was turning stale. And in these plays he had to introduce new plots, new scenes, new incidents and new characters to attract the public and ensure their attention.

For this purpose he drew his materials from every quarter that he could lay his hands on. Amongst these, the works that inspired many of his plays are: Plutarch's Lives (North's Translation), Montaigne's Essays, The Bible, Ovid's Metamorphoses, The Iliad (Chapman's Translation). But inhis avidity for fresh matter, Shakespeare cast his net far and wide. He literally lifted some old plays, recast and revised them and brought them up to date by introducing therein new characters which he drew from his close and varied observation of all sorts and conditions of men, while his penetrating eye could go to the very heart of things which he put into his plays for the amusement of his audience.

He received from the court £10 for each performance, but he made much more in his annual tours in the country, necessitated by the periodical outbreak of plague in the metropolis.

His Plays

Some reference has already been made to the genial nature of his plays, which, being written for the stage, had necessarily to

follow the course that would ensure their success, and so earn for their author and actors the wherewithal for which they were composed. Now human nature in the sixteenth century was as much circumstanced by the society then as it is to-day; with the result that Shakespeare's plays were then as popular with the play-going public as they are treated as old classics to the play-going public today—the reason being that the numerous characters drawn from life have ceased to create that lively interest that was aroused when they were written. These now arouse a mere secondary interest, figuring as moral saws. The common man is not prepared to sit through a long play to learn, the less so because he speaks a language that during the last three-hundred years has greatly altered in accent and wording, while the composition of the plays in blank verse necessitates its regrouping, further removing them from the plain straightforward vocabulary of the twentieth century. In a few years Shakespeare would rank with Chaucer and Herbert Spenser and be studied as a classic, but cease to count as living literature. Such is the vengeance of time. But that apart, Shakespeare's plays will always be treated as, *par excellence*, the finest poems in the English language, because they embody innumerable lines that have passed current as household proverbs, and these must have struck the imagination of the play-goers of the sixteenth century as transcendental and almost divine, while the picturesque originality and piquancy of the poems could only be matched by the verbal portraiture of the numerous types of men which remain as true today as the portraiture of Michael Angelo or the statues of Phidias.

Shakespeare, like Milton, was not a philosopher. He was a poet and used his unique gift to the service of the drama which he made human and natural, attractive and picturesque, but also truthful and vivid, not a faithful copy of a life but rather a faithful copy of a type which his master-mind has depicted with unerring dexterity and incomparable originality. His happy blending of sound with sense is unique, and the incomparable mastery of his style and diction and the melody of his music makes all his plays lay gospels for the people. These very qualities coupled with the mediocrity of his acting and his general life have cast serious doubt whether the plays ascribed to him were really his own, and whether, notorious and unscrupulous plagiarist as he was, those plays were not written for him by Francis Bacon, the Earl of Oxford or several other

ALTERNATE FORMS OF POLITICS

KALIDAS BHATTACHARYA, M.A.

(A)

ALL ethics and politics rest on two pivots—the concepts of right and duty. Right means what we ought to be or have and duty what we ought to do. 'Ought' in the domain of being is not immediately unintelligible. *A priori* dismissal of it is too premature. 'Ought to be' or 'ought to have' is at the start at least a clear concept. It means an ideal state of being or possession and is not less comprehensible than ideal activity. To start with, then, right and duty are equally admissible.

Equal admissibility here is also a tug of war. For each has its peculiar ethics or politics complete in itself. The tussle again is not on the surface only, it continues to the foundation of human nature. Adjudication is impossible not only at the starting point, the mysterious alternation goes even to the root. The root here is the spirit in man. This will be explained in the following paragraphs:

Duty and right imply freedom from bondage. Right is freedom from suppression and duty from sordid temptation. The urge for both is a fact in the empirical world. But, what is more than that, it involves a necessity—we say 'this *must be* the right' or 'this *must be* the duty.' So inevitably it points to a spiritual depth from which the necessity emanates. Nothing empirical is a 'must', it is only a fact. A *bona-fide must* cannot but have its root in spirituality. Freedom is then, in the last analysis, spiritual.

Empirically freedom as right or duty is only a fact not further analysable, alternation between the two is only to wonder at. But as the foundation is the spirit in man, some light is available if we probe there. Freedom is ultimately freedom of the pure self. Even in the empirical notion of freedom where the self is mixed up with the not-self, there is a blunt hint of its purity. We feel convinced that the pure self is at least a possibility and there is an irresistible demand that this possibility has to be actualised—a demand which can no doubt be blinked at but which haunts the mind to the end as the mysterious sense of baffled humanity.

This demanded spiritual freedom is alternately negative and positive. It is negative so far as it stands against the not-self, the passions and temptations of the daily life. But in the very act of negating these it posits itself, asserts its pure being as unadulterated selfhood. Not that these positive and negative sides are necessarily identical. Nor need it be that they are the two inseparable aspects of the same self, nor that there are two selves. Alternation is the last word here.

It is natural indeed to postulate an Absolute which expresses itself as positive and negative freedom. It is natural again to theorise on the identity of being and non-being, natural also to describe the expression of the Absolute into being and non-being as 'becoming' which is only the identity-in-difference of the two. All this is natural because no one can actually *deny* that the same self is positively and negatively free. But non-denial may not amount to assertion. The mystery of the whole situation is that being and non-being, positive and negative freedom, are the last words so far as the *thinkable* self is concerned. The Absolute beyond these is no longer thinkable either as content or as the nature of thought itself. If it is at all a reality it is super-thought; and what is more than that, its turning into being or non-being is not even conceivable in super-thought. The relation between the Absolute and what are under it is a wholesale mystery which in no way forms the subject-matter of thought or super-thought philosophy. So far then as the thinkables are concerned, there is alternation between positive and negative freedom. If there is any talk of the Absolute, it also, failing to co-ordinate the two, is at the most a third alternative, perhaps weaker than these.

A third theory that the two freedoms are only supplementary co-ordinates is suspect from the beginning, as some form of identity of the two is undeniable.

Right and duty are alternately the positive and negative freedom, freedom of (*a*) self-assertion, and (*b*) withstanding temptations. These alternate, and therefore right and duty are alternative ideals. There may be a third alternative corresponding to Absolutism. It is going beyond right and duty, but an ideal which, as already said, is entirely mystical. The theory of multiple truths finds here a counterpart in the domain of values.

(B)

To insist on positive freedom is to hold 'right' as the *summum bonum*. Duty from this standpoint has to be interpreted in terms of this right. It is only the means to the attainment and preservation of rights. Whatever activity leads to right is in sum duty. The basic right is the self as positive freedom, all other rights—property, power and status—being only its empirical concretion.

Nurtured in the thoughts of the French Revolution, swayed by the teachings of British Democracy and literally overwhelmed by the success of Russian Socialism, people of today almost fail to conceive that right may not be a sacred value, not even the right to freedom. It is strange that the native thoughts of our country and thoughts of the world before the French Revolution could be so totally forgotten. In those days right was not necessarily sacred, for there were people—and it was a large percentage—who insisted on duty, that is, negative freedom. To them duty for the sake of duty was the great ideal of life and right was conceived as its function only, not even always as a necessary function. Duty was done for the sake of duty and whatever right could be conferred on the dutiful by the state or the society was accepted without a grudge. Accepted as a sacred gift, it may be said, but its sacredness was due entirely to the sacredness of duty.

Germany alone fought for this ideal when all other countries were fast forgetting it. Even today it is typically the German thought. The inordinate fondness for war and the idea that peace is only preparation for war is a natural consequence of this ideal. For negative freedom is only the basic *form* of duty and national socialism or aggressive race-consciousness is its natural European concretion. This or that mode of concretion may be condemned, but the basic idea that duty is the sole value stands unassailed.

Negative freedom is only the *form* of duty. It has to be concreted into this or that duty with reference to empirical matters. But what are the matters to be taken up to the region of duty? The choice falls on passions and inclinations, and that rightly. For though sensations and ideas also hold the self in bondage these by themselves are only amoral, not immoral. They become immoral only as they generate some passion or inclination. But among passions and inclinations some are not only not against freedom but

positively conducive to it. Should these be regarded as immoral? As a matter of fact they are as immoral as other passions. For they are still outside forces, only they are forces running accidentally in the direction of freedom. By sheer chance therefore they add to moral momentum. Some day or other their immorality will be obvious. They will be felt as horrid drags, but so closely cemented to the self by long association that freedom from them will be a matter of despair—shadow of eternal perdition! One such passion is community-feeling. At the beginning of moral life it not only does not retard the progress to freedom, it is a definite fillip. But sooner or later it turns into fanaticism, this to unhealthy communalism, this again to dangerous nationalism, and in no time crops up the beastly race-consciousness. This has been the natural turn of events in Germany and many parts of pre-Revolution Europe.

This is not infrequently the history in the Orient also. But it is not the necessary history. A clear conscience at the start, an alert at the beginning that no concession will be granted to any passion or, if any, it is only temporary, will save moral progress from future stagnation or downfall. Such was the case in our country. Our leaders were able instructors. They did not hesitate to teach half-truths to the novice only to take them up to the right path and once this was done they openly condemned these. If you are determined to impart to children absolute truths they will only clog their imagination and unaided intellect will then move in grooves and spirals and gratuitous hair-splitting will outdo all healthy imagination. But teach them half-truths at the beginning and correct these as their imagination widens, they will grow a brain exactly fit for tackling the problems of life and spirit. Such is also the duty of ethico-political instructors and such was the case in our country. Many good sentiments were applauded, but what was given with one hand was taken by the other—those very sentiments were condemned by those very instructors. This was no wavering or contradiction, this is the only lesson-book for all times.

Anyway, ideas of community and state, nation and race are not intrinsic to the performance of duty. These might be temporary guides. But ultimately they are to be rejected like all empirical matters. Duty shines out against every dross and from no analysis of the concept of duty can it be gathered that community, nation, race, etc., are its necessary contents. German thinkers sometimes

appreciate this. But communal feeling is in their blood, and so they always cling to some form of group. They still cling to the widest form of group—the race. True, if anything is a 'real' group it is the race. But no distinction between real and nominal groups changes the nature of duty. There is no argument for the apriority of 'race.' It may be the most solid of empirical unities, but maximum empirical adhesion is still far from apriori necessity. Reference is often made to the animal instinct of race-preservation. But it is forgotten that animal stories have no morals. Animal behaviours are no analogues to human activities. These are human, and self-conscious humanity is qualitatively different from bestiality. Modern attempts to learn lessons from the animal world bespeak a total lack of intellectual honesty.

Neither does internationalism follow from the concept of duty. Race is still a concrete unity, a real organism, but universal humanity is worse than a thin abstraction. Race is biological. But universal humanity is a meaningless jargon, an epitome of conceit. Between the two there are communities, states, and nations which are half organic half constructional.

(C)

From community to race and humanity—all these are foreign to duty. But they are more intrinsic to the concept of right. Duty for community, race or humanity is nonsense to one who knows the meaning of duty. For duty is ultimately the negative freedom of the self, the overthrow of the empirical burden. But right to communal, national, racial or even international welfare has some meaning, because right means assertion of the positive freedom of the self and this positive freedom in the empirical world may assume any of these forms. Duty for these implies an unholy smuggling of the concept of right in the domain of duty.

But even to right these groups are not wholly intrinsic. Rights of these groups are not fundamentally *my* rights. There is no apriori identification of the individual with a group. The fundamental right is the right to the positive freedom of the individual self. This right to positive freedom may, as already said, assume the form of right to property, power, status, etc., even so, as right to the welfare of his group. But the group has no priority of claim. The bond

between the individual and his group is only co-ordinate with that between himself and his property, power and status. The latter is his self-love, the former his sympathy or as in some cases, a selfish extension of his self-love.

Sympathy is generally the tie that binds the individual to his group. But it is not always the case. How far the group may extend is an interesting problem. There are four types of group. There is first the real *positive* group like family and race. Attachment to the family is a concrete positive fact and equally concrete and positive is attachment to the race for those who are race-conscious. The real group may sometimes extend to relatives and neighbours. But soon its expansion ceases. In its place grows a *negative* attachment for some groups like the people of my district, province or country. This love is negative because it is based on a self-conscious distinguishing of my people from others. It is almost always generated by aggression or insult from outside. I love the people of my country not because my heart weeps for them but because when a whiteman holds an Indian in contempt I feel that I might also be a victim. Groups based on this negative relation may be called negative groups. But as these are also real we may call them real negative groups. The third kind of group is constructional where the link between individuals is their own creation—economic, political or cultural. This is a group only half real, for its solidity need not be permanent. Lastly there is the fourth type of group like universal humanity which is wholly ephemeral. Empty internationalism or the more dignified word cosmopolitanism is nothing substantial. Love for humanity at large is only a snobbish dissipation, no real progress of the spirit.

The concept of the universal self is so far counterfeit. But somehow or other it has gained currency in the present-day market of thought. It is not unnatural that laymen do not wait to verify it, but it is unfortunate that officers in the currency accept it without examination. The self as negative freedom is altogether void of being and as such neither individual nor universal. As positive freedom it is no doubt not individual in the ordinary sense, but as surely, it is not universal also in the sense that the same self which is my positive freedom is also the self of another person. Mere denial of individuality need not be assertion of universality. If only the self is taken as the mysterious Absolute of positive and

negative freedoms, as the transcendent and yet immanent identity of the two or their identity in difference, there might be some reason to postulate a universal self. For position and negation being both its own acts it is not improbable that by the very act of negation it posits the individual self. But then, as already said, the Absolute is itself a total mystery and no philosophic theory should be based on it. Absolutists often refer to empirical cases in their support. They argue that through love and sympathy I only enrich my individual self by extending it to incorporate others. But in our analysis of different types of groups it was found that this is either mere dissipation or self-delusion or the mere sense of a negative unity or at the most the sense of some biological bond which does not touch the core of the self as spirit. Love need not be spiritual. If spiritual it is only the mystic sense of an identity-in-difference, entirely incommensurate with thought and therefore no foundation for ethics or politics.

(D)

There are then three alternative ideals of life—duty, right and love. Ethics and politics are based either on duty or on right. On love is based super-ethical or super-political religion.

Democracy and communism come from the ideal of right. A necessary consequence of the concept of right is its equitable distribution among men. Indeed equality is the first intelligible formulation of ideal of right. All ethics and politics of right look to it as the guiding principle. Ethics of right is the study of ways and means to protect *my* rights against aggression and the corresponding politics aims at protecting the rights of others. Each assumes that there is no favouritism in the domain of rights. Strict equality has to be observed at all cost.

It might appear strange that democracy and communism are here bracketed. It is strange no doubt against the present history of the world. Democracies have by a natural logic of facts turned to capitalism. But this is not its essential logic, for even the worst capitalist admits that equality of rights is desirable. Do not the great heroes of capitalistic democracies shout from many a platform that equality and justice are the goal of their governments? In the oft-neglected corner of the heart they feel their game, only like veterans

they assume a dignified pose. They may plug their ears with stones and mortar, but the voice from within is not silenced. Communists are more honest. They insist on equality and virulently attack capitalism. They hold that fundamental rights must be granted to all and the state is only the instrument of dispensation. True, like fascist organisations they too uphold the state as the guiding star, but their state is *for the individuals*, not conversely. For after all the right of the individual is the goal and the state is the best dispenser. To the fascist on the other hand the state is final, individuals must not look to their rights and have to remain satisfied with whatever the state may grant them. It is not unnatural therefore that while the fascist clings to the state, nation or race, the communist has no such prejudice. Nation and race are to him worthless and mischievous dogmas and state is ever fluid.

It is the fascist only who extols duty over right. But duty in itself being only negative freedom he naturally looks to a concrete object of duty and by natural psychology, as already said, fastens himself to the state, nation or race. When all this is done it is only another step of the cosmic dialectic to confuse duty with right and advertise this state, nation or race as the embodiment of all rights. A parallel dialectic vitiates communism also. There also right is confused with duty, and the state as the sole guarantee of equality is mistaken as the sole object of duty.

These confusions apart, communism and democracy are fundamentally the same and fascism is their only opposite. Communism is honest democracy and historical democracies are its dishonest forms. Fascism is neither, it cares little for the rights of the individual.

True, fascists also shout that their governments are not less unjust than communism, they also look to the equality of individuals' facilities. It is equally true that communism shouts that its people are not less dutiful to the state. But their difference must not be overlooked. To the fascist justice on rights is only a means to the performance of duty while to the communist duty to the state is only a means to the preservation of rights. The fascist is prepared to curtail the rights of individuals or distribute them unequally if need be—their state or race must be saved at all cost. Similarly a true communist government will not grudge an

individual withdrawing allegiance from it if only his fundamental rights are saved and made to stand on the same footing with the rights of others. Democracy has always been a half-hearted measure and it is not unusual therefore that the extremes have met in history.

Communists speak of bourgeois ethics and in their disgust for it impugn all values hitherto passing as spiritual. They are justified to a large extent. Counterfeit values there are too many, and these are often sought to be justified by a too cheap reference to spirituality. To the communist lies the great credit that he has challenged these. But he has erred in denying spirituality altogether. If he is asked why right and equality should be the goal of life he fails to answer. If he is asked why duty and consequent values should be overthrown he only frowns and mutters 'all bourgeois.' But this is no justification. Others might equally hold that the communist contempt of values is only a prejudice. True justification of communism is in the much-derided spirituality—positive freedom is the goal of life. This much spirituality a sensible communist ought not to deny unless he has a sinister thought. For it has no necessary connection with traditional values. Choice of empirical contents to fill in the empty spiritual has often been wrong and so far the bourgeois ethics has been half measures and in some cases mischievous. But this does not mean that there is nothing distinctive of the human, that active man is no higher than beasts.

Fascism is equally wrong in condemning communism as beastly. If communism in its zeal has overlooked spiritualism so has fascism clung to it too uncritically. Race—or state-consciousness too cheaply passes as a spiritual demand. And so with regard to many other values. The communist is wrong in decrying war and applauding peace as the only desirable thing. The fascist is equally wrong in regarding peace as the impotent value of the weakling and ennobling war as the grandest spiritual demand.

Democracy as straggling communism is no match for either. It is from start to finish a patchwork. It is constantly wavering from duty to right and reconciling these in whatever way—scrupulous or unscrupulous. But one thing is certain—it is immensely practical. Swimming with the current it finds its way out of difficulties. As it has no scruple it has no care also and so its seeming progress

is always smooth. This is characteristically the British politics. Its only immediate objective is to win success and means count little. It is true the fascist often says 'the end justifies the means'; but this with regard to the state only. Democrats on the contrary apply the principle to every stratum of life. Democracy is a heap of contradictions, and paradoxical though it may sound, this is exactly the reason why it has a smooth sailing. This is obtrusively evident in the British parliamentary government and foreign and war policy. There are parties in Britain each depending on votes. There is wide franchise and Tom, Harry and Dick, every one votes even though he is a fool. Every one is satisfied that he has had his say and yet the clever few have won by manipulation. Experts' committees are indeed appointed in technical matters. But experts are in most cases only heroes in democratic journalism, and where, as in some cases, real experts are appointed they are men of the employers. If some happens to dissent he is outvoted, and decision by votes is propagated as a religious dogma. The same thing is evident in the foreign policy of democratic Britons, specially with regard to subject nations. Whenever a difficulty arises they are sure to tide it over by contradictory half promises. In their war policy they appear to have no determined aim, they wait and counter every difficulty as it arises.

The success of democracy, specially of the British Parliamentary system is nothing astonishing if looked at against this background of psychology. The British are, as already said, immensely practical. They do not run after mirages of ideals and that is the key to their success. Life has to face contradictions, and contradiction has to be faced by contradiction if one wants to live. The British are enormously fond of life and so can hold on to their democracy. Other nations however are more fond of ideals and democracy may not therefore be the best form of government to them.

(E)

Voting is peculiarly foreign to our blood as it is to the Germans. Democracy to us may therefore be a burden. The fascist idea of party is more intelligible to us. There should be a single party and its heads beloved by all should be the leaders. Criticism should be allowed, but its spirit must be construction, not destruction. This kinship, evident in many spheres of life, has its root in the fact that in our country also duty was preferred to right.

A good dose of English education has considerably changed the outlook of our life. Another dose may change it altogether and then right will usurp the throne of duty. Not that we need be sorry for it, for what we gain is no meaner than what we had. Fascism, communism and democracy each has its bright side and each yet is alternate philosophy. So if one gives way to another there is nothing to moan for except the passing of an ancient culture. And similarly if democracy gives way in time to communism.

Such changes are not rare in the history of our country. Alongside the worship of duty there was for a long time devotion equally strong, though less extensive, for right. It appears that the latter was an imposition, from where it is for the historian to find out, and took a long time to amalgamate with the other in the general culture of our country. It is difficult to trace a linear progress of Indian culture. There are cross-currents at every bend. But strangely enough a workable mixture is often worked out, not indeed in the British fashion—for our people were more religiously minded—but rather as hesitant alteration, now an attempt to fuse them and at the next moment an admission of failure. This was intellectual honesty though betraying constitutional unpracticality.

Not merely between duty and right, a tussle grew up between these and mystical Absolutism—the religion of love and sentimentality. Here again was visible alternate allegiance. But in many cases it turned into unequivocal hostility. This time the dominant Indian mind gave a master-stroke of pedagogy. Philosophies of right and love were definitely subordinated to the philosophy of duty, the Absolute and positive freedom to freedom as dissociation. There were indeed strong minorities extolling love or right. But Brahminism continued to be pure duty-ism. It was a philosophy of purification and self-control. But other philosophies easier of comprehension and more workable had already gained ground and, inspite of the earnest efforts of staunch Brahminists, grew stronger and stronger and literally overflooded the country till all native progress stopped with the advent of English culture.

Brahminists indeed in their theoretical philosophy lay as much stress, if not greater, on positive freedom as on negative. But they cared little for it in their ethics and politics. The idea behind was a sharp separation of the theoretical and the practical. Theoretically truth was positive freedom. But it could not be translated

in the practical world except through a surd, and when that was done the surd became the dominant factor and positive freedom only hovered round it as a ghostly fringe. It is the Buddhist who saw the discrepancy here and in their zeal for the practical declared negative freedom as truth also. But they came to be in a minority and left only a legacy of dead thoughts.

That Brahminism laid entire stress on duty and defined right only in terms of it is clear form its much-condemned caste-system with corresponding hierarchy in a thousand and one activities of life. Duty was to be done for the sake of duty and people had to be satisfied with whatever right and status fell to their lot. And the craze for duty was so strong and deep-rooted that even to-day they little grumble against lower rights. There is a section, as there always has been, of heretics, and today they are lords in the field. But the walls of the structure are still intact though plasters and roofs have fallen. Another heavy gush of English education, and they will shake to crumble in time. There will be nothing left of that hoary culture. But, as already said, we need not be sorry. Fall from duty to right is no tragedy except for moody historians and unthinking fanatics.

From duty to right, from these to mysticism and back again from it to these in whichever order—this is the cosmic dialectic of culture. The path need not be linear. Currents and cross-currents may generate tidal waves and whirlpools and occasionally doldrums. But the average direction is as already chalked—from fascism to communism, from these to mysticism and back again to the earlier. Democracy and other forms of government are the waves, whirls and belts of the calm.

Fascism and communism are equally strong and weak. There is no reason to choose either except tradition. Wilful conversion is not only meaningless but a positive crime. But conversion is allowed under historical pressure where none is to blame. These two are equally preferable, but, as against these mysticism may be legitimately decried. For though it is co-ordinate with these two it is conveniently hazy and therefore a philosophy of the sentimental.

MAULAVI QADER'S NEPAL EMBASSY, 1795—A FORGOTTEN EPISODE

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MODERN historians in writing Anglo-Nepalese history have always taken a sudden jump from Cornwallis to Wellesley, whilst the period of Shore has been summarily dismissed. However important the successes or failures of Nepal adventures of Cornwallis and Wellesley may be, the commercial gamble of Shore to capture a free market in Nepal through Maulavi Abdul Qader's embassy is no less important. The records in the custody of the Imperial Record Department have brought this forgotten episode into the limelight of history.

The two different embassies of Kirkpatrick and Abdul Qader, although separated by time, cannot be studied in isolation. One follows the other in logical course. Both are of the same tune, of the same chord. The motives behind Kirkpatrick's mission are fairly well known. Although he was sent by Lord Cornwallis with the professed motive of dictating the terms of peace between the Chinese and the Nepalese, his chief objects were of commercial nature; he was to try and induce the Nepalese to implement the treaty of 1792 for the encouragement of trade and traders and to urge on them the establishment of a British Resident in the Court of Nepal.[1] Following in the same logical plan, Shore tried to win the game which Cornwallis had failed to do. Even if a commercial treaty was concluded between the Company and the Nepal Government as early as 1792, the articles of the said treaty were not fairly carried out by the latter, due to their jealousy and suspicion for the former.[2] The strongest inducement to the Nepalese in forming this treaty was purely political; to neutralise the Company in their war with China and not to promote any trading facilities.[3] Kirkpatrick's mission could hardly improve this strained commercial

1 H. A. Oldfield—*Sketches from Nepal*—pp. 283-84.
2 *Ibid.*—p. 281.
3 *Ibid.*—p. 282.

relation for the better. The British trade in Nepal continued to suffer from various restrictions and their manufactured goods could find no ready market there for free disposal. When Sir John Shore became the Governor-General, he realised all these difficulties and he wanted to ascertain the real importance of a free trade with Nepal by deputing somebody to Nepal, like his predecessor. Herein lies the *raison d'être* of his commercial embassy. The aim of Shore's embassy has been fully expressed in the following lines of his minute :—"This communication applies to the subject into two points of view. The measures to be adopted for ascertaining the value of trade with Nepaul, assisted by an actual experiment on a very moderate scale and the mode of giving a parmanent Establisment to it by the Residency of an agent on the part of this Government at Nepaul if the commerce should be found on enquiry of sufficient importance to render it expedient." [4] But who was to lead this embassy ? Maulavi Abdul Qader was selected for this work as he had been in similar errand to Nepal before. Thus Shore took the lost cause of Cornwallis once again in his own hand, but his adventurous mission met with a similar fate like that of Cornwallis.

Abdul Qader came of a respectable Muhammadan family of Bengal. His father Wasil Ali Khan served Warren Hastings as *Qazi-ul-Qazat* (Chief Justice) and after some time he was appointed Munsif in the *Dewani Adalat* of Benares.[5] The son followed the profession of his father. After the death of Wasil Ali Khan, he was appointed to the vacant chair on the recommendation of the Resident at Benares and Nawab Ali Ibrahim Khan. At the time of his deputation he enjoyed the post of *Naib* in the said *Adalat* on a monthly salary of Rs. 400. Abdul Qader's talents and intelligence were much appreciated by his contemporaries. Mr. Lumaden, the Resident at Benares, wrote to the Governor-General—"I have found him both intelligent and zealous in the service of the Company and that in my opinion his integrity and talents as well as mildness of his manners immediately qualify him for the discharge of the duties of any office which may be conferred on him." [6] As Maulavi Qader was found to be a man of considerable parts, he was deputed

[4] Pol. Cons. 10 Nov., 1794, No. 29.
[5] Pol. Cons. 7 Mar., 1796, No. 21.
[6] Pol. Cons. 7 Mar., 1796, No. 20.

to negotiate the commercial treaty of 1792.[7] So Sir John Shore's selection of the Maulavi in leading his embassy was most judicious.

But the Governor-General did not think it expedient to send the Maulavi in any other capacity than as a simple merchant with articles of merchandise for the experimental trade which was "Consistant with the Commercial treaty,"[8] lest Nepal Government suspected anything wrong. The instructions which he gave to the Maulavi were:—"Your stay there is merely for the purpose of cementing the friendship between the two states and favouring their Commercial Intercourse.....you will enquire particularly into the circumstances of the trade of Nepal and neighbouring countries with the imports and exports and the articles which are produced or manufactured in the country with such other articles as may be employed in trade between the two states."[9] Moreover, he was advised to win the favour of the Nepal Raja at any cost even by giving rich and valuable presents to the Raja and his ministers.

The articles and the amount of money which the Governor-General authorised the Maulavi to take with him were as follows:—(1) Broad cloth red Rs. 5,000, (2) Broad cloth blue Rs. 5,000 (3) Large coral Rs. 2,000 (4) Kashimabad white cloths Rs. 1000, (5) Mirzapur chintz Rs. 2000, (6) Hard cash Rs. 10,000, and (7) Personal advance for his own expences Rs. 5000.[10] Although the total amount came to Rs. 30,000, Shore was prepared to take this risk in view of the prospect of capturing a free market in Nepal. In this minute he recorded "the magnitude of the object furnishes sufficient justification for the expenses of the undertaking which if it should even totally fail cannot occasion any considerable loss."[11]

Thus prepared Maulavi Abdul Qader and his party consisting of more than 50 attendants[12] were on the point of starting in the early part of 1795 with the hopes of reaping golden harvests in the plains of Nepal. But as bad luck would have it, the Maulavi on the very auspicious moment of his start got an ominous obstruction and probably it predicted the failure of the mission. The Maharaja Rana Bahadur of Nepal objected to "the intended visit of

7 Pol. Cons. 10 Nov., 1794, No. 29.
8 *Ibid.*
9 Pol. Concs. 7 Mar., 1796, No. 2.
10 Pol. Concs. 10 Nov., 1794, No. 29-30.
11 Pol. Concs. 10 Nov., 1794, No. 29.
12 Pol. Cons. 21 Sept., 1795, No. 20.

Abdul Qader with mercandise" on the plea that there was "no adequate vend for them" in view of war with China.[12] But the main cause of the Raja's opposition was his vakil Dinanath, who was very much opposed to Company's commercial views. He did not like that any commercial negotiation should be conducted through any other channel than his own and he wanted to keep the monopoly of trade for himself alone.[14] It was the intrigue of Dinanath which counteracted the embassy of the Maulavi. "I have not the least doubt that the Raja's disinclination to the measure had its origin in the intrigues and influences of Dinanat Oppadiah and not in any objection or jealousy on his (Raja's) part."[15] Another case of the Raja's opposition was the reluctance of the Company to mediate in the boundary dispute which the Raja had with the Nawab Vazir of Oudh regarding the pargannas of Cashipur and Rudrapur.[16] Although these parganas were situated in the dominion of Oudh, the Raja of Nepal wanted to take possession of them for his personal gain.

As a result of the reluctance of the Nepal Government to accept Shore's embassy, Maulavi Abdul Qader had to stop his starting for the time being.[17] Shore's hopes for a free market in Nepal were practically dashed to the ground. But very soon Mr. Duncan, the Resident at Benares hit upon a plan of deputing a man to Nepal, who enjoyed the confidence of the Nepal Government for procuring a passport to Qader. This task fell upon the Brahmin Guru Gajraj Misra, the spiritual adviser to the Nepal Raja.[18] The Misra was at that time in Benares. The Government of Benares used to look him with great respect and Gajraj somehow or other took a very favourable view of the Company and he tried his best to promote their commercial ends. Even Sir John Shore had great faith in the abilities of Gajraj, "who," in his opinion, "has always been disposed to promote our wishes and whom Kirkpatrick found possessed of great influence with the Court of Nepal."[19]

On 2nd March, 1795, Gajraj Misra set out for Katmandu with a letter from the Resident to the Raja of Nepal.[20] On reaching

13 Pol. Cons. 1 May, 1795, No. 8.
14 Pol. Cons. 10 Nov., 1794, No. 20.
15 Pol. Cons. 1 May, 1795, No. 7.
16 Pol. Cons. 10 Nov., 1794, Nos. 29-30.
17 Pol. Cons. 1 May, 1795, No. 12.
18 Kirkpatrick', A *Account of the kingdom of Nepal*, pp. 271-72
19 Pol. Cons. 10 November, 1794, No. 29.
20 Pol. Cons. 1 May, 1795, No. 11.

Katmandu, Gajraj handed over the Resident's letter to the Raja. He convinced the Raja that the Company had no evil motives in despatching the Maulavi to his court; his visit would simply mean renewal of friendship and the discussion of certain territorial questions; and that Maulavi had "with him some specimens of goods which he proposed to trade with on his own accounts."[21] The Raja of Nepal became convinced of the good motives of the Company and being satisfied asked the Misra to invite the Maulavi to his court[22] The Raja himself wrote to the Maulavi, " As I now learn from Mr. Duncan and your letters and from Gudjrajee's verbal communication that a small quantity only of merchandise together with certain points of communication tending to strengthen the foundations of our mutual friendship have been committed to your charge, it has afforded me much satisfaction. It is necessary that agreeably to Mr. Duncan's direction you repair with perfect confidence and without delay hither."[23]

Promised of a safe and uninterrupted journey, the Maulavi and his attendants started for Nepal in the summer of 1795.[24] Probably in August he reached Katmandu[25] and he was cordially received at the Darbar. Dewan Apaman Singh was amicably disposed towards the Maulavi and the latter found a true friend in him. The Maulavi was properly introduced to the Raja; the presents were delivered to him in the right manner; and friendly expressions were exchanged between the two.[26] After the observance of these ceremonials from both sides, the Raja complained that since the days of Colonel Kirkpatrick's embassy the Nepal Government had been cultivating friendship with the Company, but the latter did not give them in return any satisfaction with regard to Cashipur and Rudrapur parganas. The Raja also made similar other minor allegations against the Company. The Maulavi in reply tried his level best to convince him of the Company's cordial and friendly attitude towards him and he wrote every detail of interview with the Raja to the Resident and the Governor-General.[27] Although the Raja at the

21 Pol. Cons. 1 May, 1795, Nos. 12 and 14.
22 Pol. Cons. 1 May, 1795, No. 14.
23 *Ibid.*
24 Pol. Cons. 7 March, 1796, No. 2.
25 Pol. Cons. 21 September, 1795, No. 20.
26 *Ibid.*
27 Pol. Cons. 21 September, 1796, No. 20.

interview made many complaints, he behaved in the most friendly manner with the Maulavi.

But very soon an unforeseen calamity befell which made the Maulavi's mission fruitless in its immediate objectives. Immediately after his arrival in Nepal he and a large number of his men fell seriously ill. As we know from the Maulavi's letter he had an attack of severe malarial fever.[28] The long and arduous journey must have heavily told upon the health of the Maulavi and his men. The Maharaja took a very sympathetic and friendly attitude towards his guests at this time. He left no stone unturned in administering medical aid to them. But in spite of so much care and comfort, three persons of the Maulavi's party died. The Maulavi got frightened and alarmed: "I am this time very much alarmed as 40 people are ill, three too have died."[29] But the Maulavi after some days became a bit better due to the medical treatment. But the fever became chronic with him and during his six months' stay in Nepal he had continual attacks of fever with certain occasional breaks. A man with ruined health, the Maulavi at last became disgusted and he left Nepal with his followers for Benares either towards the end of 1795 or in the beginning of 1796.

Thus ended the commercial mission of Maulavi Abdul Qader. Was it a success or a failure? That the immediate objects of the embassy were frustrated, there is no doubt about it. The Maulavi could do very little progress in his commercial experiment during his long stay of six months in Nepal. It is evident from the Maulavi's reports[30] that of the several articles which he took with him and those exported to him from the Company's territory, the broad cloth was the only one which he could dispose of; coral due to their high prices in Nepal was found to be unsaleable; the Mirzapur cloths and Guzies could not be tried at all as these did not reach the Maulavi in time. On the other hand the Maulavi could not purchase any articles of Nepal and Tibet, as he learnt from his own gomastha at Patna that these would be sold at a loss in the Company's provinces.[31] Viewed from this standpoint, the mission was a failure. "I do not conceive that the result of the late deputation can be considered

28 *Ibid.*
29 *Ibid.*
30 Pol. Cons. 7 March, 1796, Nos: 1-7.
31 Pol. Cons. 7 March, 1796, and Nos. 1 and 6.

as decisive with respect to the expediency of preserving an endeavour to extend the commercial intercourse between the two states."[32]

But the embassy was not a total failure when we consider the valuable commercial and political information which the Company got as a result of the deputation. The Maulavi in his report enumerates several articles of merchandise, like coral, broad-cloth, pearls, cotton cloths, Bengal raw silk, etc., which were worthy for exportation from Hindusthan to Nepal with an approximate rate of profit. Politically, the Maulavi's report is a valuable asset for the information regarding the character and disposition of the Nepal Raja and his ministers. Sir John Shore summed up the result of the mission in the following lines: "Of the result of the mercantile transactions entrusted to the conduct of the molavy Abdul Kader, we are not yet qualified to form a judgement. . . but considering the commercial as well as political information derived from his deputation it cannot be deemed useless and unimportant. This communication has enabled us to form some judgement of the characters of the Rajah of Nepal and his principal officers and to ascertain their disposition towards this Government. . . . The political impediments resulting from the character and conduct of the Rajah are of more consequence and whilst there exist the commerce of his state must remain in a feeble state. . we ought to look forward to a period of better administration in Nepal and intermediately to promote our connection with Rajah and our influence at his capital. . . . "[33]

[32] Pol. Cons. 7 March, 1796, No. 1.
[33] Pol. Cons. 7 March, 1796, No. 23.

NEW LIGHT ON THE HISTORY OF NORTH-EAST INDIA*

DR. N. K. SINHA, M.A., PH.D.

THE Imperial Record Department's programme of publication of Persian letters in their custody is widely known. Seven volumes calendaring 13,301 Persian letters have already been published. But we were ignorant of the existence in the Imperial Record Department of other letters in oriental languages—175 in Bengali, 354 in Hindi and 227 in Marathi. The Bharata Itihasa Samsodhaka Mandal, Poona, has undertaken the publication of the Marathi records. The University of Calcutta has published this volume of Bengali records.

These letters illustrate British North-Eastern Frontier policy from 1772-1820. The history of Cooch-Behar, Manipur, Cachar and Assam during these years is not of parochial interest only. These letters cover a dark period, illustrate the currents and cross-currents of personal and local rivalry and give us a graphic idea of the chaos in the North-East of India during these years of " Woe and troubles, blood and fire, death and desolation "—the internecine troubles in Cooch-Behar, the anarchy in Assam, the troubles in Cachar, the Bhutanese encroachments, the Burmese incursions and the resultant anarchy and disorder.

Cooch-Behar was brought under British control by Warren Hastings in 1772. A treaty was concluded in 1774 and an annual tribute was fixed. This eliminated the Bhutia menace but internecine troubles gave no peace to this unhappy land. The interference of the Government of Bengal through successive Collectors of Rangpur did not improve matters as there was no fixed principle to guide them and they only sided with this or that party. Assam, Cachar and Manipur suffered from anarchy at its worst. British interference and annexation were not forthcoming until Burmese aggression necessitated a new departure and an abandonment of the policy of non-intervention.

* Prachin Bangala Patra Sankalan (Records in Oriental Languages, Vol. I—Bengali Letters). Editor, S. N. Sen, M.A., Ph.D., B.Litt. (Oxon), Keeper of the Records of the Government of India. Published by the University of Calcutta.

Everyone who studies the social and economic history of Bengal will find very useful information in this volume of Bengali letters. The exact state of things before the establishment of the Permanent Settlement and immediately after it, is here well-illustrated and the evidence is, of course, unimpeachable. We all know that there was a controversy on the eve of the Permanent Settlement between Sir John Shore and James Grant on the question whether Bengal was over-assessed or under-assessed. The letter of Zamindars Ebadulla Khan and Khairunnisa (No. 60) shows that the assessment of Amrabad pargana was increased from Rs. 1,400 to Rs. 50,340-13-0 in 28 years. There is no reason to think that this pargana received any special attention. This letter disproves the contention of Grant that Bengal was under-assessed at the time of the Permanent Settlement. James Grant, who served for some time as Keeper of Records, ought to have known better.

The most interesting thing about these letters is that they prove that in Eastern India, in the last quarter of the eighteenth century and in the first quarter of the nineteenth, Bengali was the language of diplomatic correspondence and as such it was in official use from the frontier of Burma to Balasore. The Bengali language of those years had, as has been described in the introduction, a Sanskrit head gear and a Persian coat. The chief of Bhutan had in his employ a Munsi who could correspond in Bengali; English officers were more willing to correspond in Bengali than they are now and at times even French merchants would write to English collectors in Bengali. A student of the history of Bengali language will find in these letters much to learn. As has been pointed out in the Editor's note, there were more than 600 Bengali letters in the custody of Norman Macleod when he was Commissioner of Cooch-Behar. A vigorous search in district record offices might yield further valuable material of this type to the historian of Bengal.

The greedy Bengalee Banyan has been described as the typical Bengalee of this period. The impatient English historian, with his superiority complex, had very little difficulty in exposing his dishonesty, his unreliability and his gold lust. The frenzy of Indian conditions that made British conquest possible brought him to the forefront. But it is a gross historical libel to regard him as the type of the Bengalee during the early years of British rule in Bengal. There is no reason to think that these letters were written with a

view to whitewashing Bengalee character and advertising Bengalee efficiency and honesty. But there are certain things that speak for themselves. The Bengalee agents of Cooch-Behar, Assam and Cachar Governments did their work very honestly and efficiently. The Chiefs who employed Bengalee agents in preference to Englishmen could unhesitatingly rely upon them and could rest assured that there would be no remissness. The story of the benevolent activity of many of the rich sons of Bengal, whose humanitarianism required no inspiration from the West, had remained concealed from us in those musty records mouldering in the Imperial Records Department. Their publication has been a definite and distinct service to the cause of historical study. The sober historian, accustomed to handle details, will find in these pages enough evidence to show that Bengalee character had not sunk so low as we have been made to believe by hasty generalizers who like flies find only the plague spots. If we have reasons to be ashamed, we have also reasons to be proud of our heritage. Of this we have concrete unimpeachable historical evidence in these records of the Government of India.

This volume is very welcome to students of Indo-British history as an evidence of an enlightened policy of the Education Department of the Government of India, which was hitherto suspected of guarding their secrets in their archives like a "miser's hoard." Further, it shows that there is a consciousness that co-operation between the Imperial Records Department and Universities and learned societies is a necessity for the promotion of higher studies in the modern period of Indian history.

The editing of this volume can very well serve as a model. The general reader will find in the very readable Introduction all that he need learn from these letters and the research student will find in it a guiding thread through these letters that will simplify the task for him.

We have only to suggest that a sketch-map after the Introduction would have been helpful.

THE PROBLEM OF JUTE

BIRENDRA KISHORE ROYCHOWDHURY, M.L.C.

NOTHING has attracted greater attention and has been discussed more widely than the problem of jute in Bengal. With it has been bound up not only the prosperity of the Bengal peasants but the material welfare of the whole province. Even if a maund of raw jute fetches only Rs. 6, the peasants may receive by the sale of jute about thirty crores of rupees every year. In view of this when the market for jute became dull, all people, high and low, became at once interested in the question. Unfortunately even as a result of ten years of discussion nothing has really been done by way of stabilising the price of this primary agricultural product. All the steps which have so far been taken have turned out to be nothing but eye-wash.

It was as early as the 1st February, 1932, that a resolution was passed by the Bengal Legislative Council for the constitution of a Committee of officials and non-officials, for examining the economic situation in Bengal. In pursuance of this resolution the Government set up a Committee of thirteen members to enquire into the problem of jute. The majority of the members of this Committee were not in favour of any legislation for regulating the cultivation of jute. They were satisfied with recommending certain reforms regarding standard weights and regulated markets. They also, it should be emphasised, pointed out that the failure of Jute Sale Societies was not conclusive evidence against resorting to co-operative marketing. They further recommended the dissemination of information among the cultivators as to the stock of jute in India and abroad and the average prices of this product in the previous two or three seasons. But while the majority set its face against legislative regulation of jute cultivation, the minority brushed aside all arguments advanced against such regulation. It was of the view that the theory of automatic adjustment of supply to demand was absolutely fallacious and was not supported by experience.

The advance of compulsory regulation of jute production by legislation did not, however, find at the time, any support either in

the Government of Bengal or in the Governments of other jute producing areas. But the Government of Bengal was convinced that supply was not automatically adjusting itself to demand. Consequently it was converted to the view that steps should be taken for voluntary reduction of jute cultivation whenever an occasion for it arose. In fact from 1934 the Bengal Government instructed its officers in the district to bring home to the cultivators the necessity of reducing jute acreage. This policy of voluntary restriction was not, however, of much avail. By 1939 both the Government and the public had enough evidence to find that voluntary restriction was not effective and if supply of raw jute was to be commensurate with demand in the market, it was essential that some compulsive step must be taken.

Already in the middle of the year 1938 the Government of Bengal had set up another Committee with the Commissioner of the Dacca Division as *ex-officio* President and with Mr. D. L. Majumdar, I.C.S., as the Secretary. One of the terms of reference to the Committee was the regulation of the production of jute. The Committee examined this question threadbare and concluded that cultivation should be regulated in accordance with the demand for the fibre. It was further of the view that as the voluntary method of regulation had not brought in any tangible result, the compulsory method should now be adopted. This report of the Bengal Jute Enquiry Committee was submitted to the Government towards the end of 1939. Meanwhile a bill had been introduced in the Provincial Legislature for the compulsory regulation of jute cultivation. In course of a few months this bill became an Act and henceforward production of jute fibre has been regulated by this measure.

The object of regulating jute cultivation by compulsory legislation was not necessarily to restrict the production of the fibre, but to adjust supply to fluctuating demand. By such adjustment two ends might be gained. In the first place there would be no overflow of supply so as to reduce the price. Secondly, the supply would not be so restricted as to allow the shooting up of the price to a level at which the consumers might be attempted to go in for substitutes. For the time being, of course, the object was to restrict production in order that it might be adjusted to the lower demand in the world market.

In 1941, the Government of Bengal decided after considering all the factors involved, to reduce jute acreage of the previous year by

two-thirds. It was confidently believed that production in the remaining third would be sufficient to meet the demand for raw jute. The result was rather satisfactory. We cannot say that in the initial stages the cultivators gained much by restricted production. This is due to the absence of necessary facilities for scientific marketing. This aspect of the problem we shall discuss later. But it must be emphasised here that in the absence of such facilities the producers cannot profit uniformly even by the restriction of supply. But although in the initial stages growers in Bengal did not profit much by the reduction of acreage, in the later stages the market toned up even in the villages.

The moderately high price which the growers received for their produce in 1941 encouraged them to demand for a larger production in the following year. It is unfortunate that this demand on their part tallied exactly with the machinations of those whose interest it was to see that there was larger production, so that they might buy cheap and sell manufactured products at a large profit. Accordingly an atmosphere was created in which the demand for larger production met with a ready response. The Government of Bengal might have been hesitant. But the Government of India now stepped forward and reinforced the demand for the increase of acreage of 1941 by 100 per cent in 1942. The understanding was that in case as a result of this production on double the area the cultivators were confronted with the glutting of the market and the lowering of the price, the Government would come to their rescue and arrange for compensation. So in 1942 jute was grown on two-thirds the acreage of 1940.

The result was as it had been apprehended by Indian Experts. The supply was far greater than the demand for raw jute. Although in 1941 jute had been grown on one-third of the acres, the total jute supply in that year was nearly 1 crore 32 lakhs of bales. Actual production of that year was 54 lakhs 74 thousand bales. But the jute in hand from the previous year was 77 lakhs 23 thousand bales. In consequence the total supply was, as stated just now, 1 crore and 32 lakhs. Of this supply only 92 lakhs 66 thousand bales had been consumed. So the season of 1942 started with 39 lakhs 26 thousand bales in hand. In view of this, production on double the area in 1942 became disastrous. The production in this wider area amounted to at least 1 crore 10 lakhs

of bales. If the supply in hand is added to this, the total would come up to about 1 crore and 50 lakhs of bales. As against this supply the actual demand has not been finally calculated. But it ought to have been known that both for the consumption by the local mills and for export to other countries, the demand in 1942 would be smaller than even in the previous year. Actually the jute mills which were working sixty hours a week in 1941 have now been working 54 hours in the present year. This might have been foreseen by the Government. Secondly, the exigencis of war would also reduce the opportunities of export. In other words the total demand would be even less than 90 lakhs of bales as against the supply of 1 crore and 50 lakhs. That the jute growers have sold their produce at half the cost of production is, therefore, no wonder.

Compulsory legislation for adjusting supply to demand becomes absolutely a mockery if the Government could not evolve a machinery for calculating the possible demand even in a rough way. A calculation which over-estimated the possible demand by nearly 100 per cent. is worth nothing and on that basis any regulation of jute production becomes not only a farce but a tragedy.

The cultivators have lost the 1942-43 season. The question is if they will be required to lose the next season as well. The Government has not yet announced its policy. But before such policy is announced as to the acreage of jute in 1943, it should be borne in mind that nearly 70 lakhs of bales of jute will be in hand before the next crop is in the market. It is on this basis that calculation should be made. It is unfortunate that a cry has already been raised in interested circles for an unrestricted production of jute in the coming season. The argument is that by the time the next crop will be in the market, war will possibly cease and a great demand for jute and jute manufactures will be ceated in the world. That such an argument is absolutely childish, none with a grain of common sense will fail to notice. But although the argument has no basis, to stand upon, the cry for unrestricted production should not be neglected and treated with indifference. Coming as it does from those who are near the largest buyers of raw jute, it should be faced squarely at once.

Calculation should be made without delay as to the amount of raw jute which in addition to 70 lakhs of bales in hand will be required in 1943 to meet the demand in the world market in that

year. We are not certain if more than 20 lakhs of bales will be actually in demand in addition to the amount in hand. In other words it is unlikely that the cultivators should be required to grow jute on more than one-sixth the acreage of 1940. In any event it is high time for the Government to make the calculation and determine the acreage. It should be known that not only the growing of jute on a wider basis will glut the jute market and fetch little return for all the labour and industry of the cultivators, but, what is more, it will also hamper for nothing the growing of more food which is urgently required in the province of Bengal. Scarcity of rice and other food grains has allowed the price to shoot up four times in most places in the province. The result is that people in many areas have become too adversely affected. If this situation in respect of food supply is to be remedied, it is essential that food grains must be grown on a wider basis. This can be done only if the acres now unnecessarily sown with jute are released for food production.

If the growers of jute are to receive the real return for the labour and industry which they have to put forth for its production it is essential no doubt that supply should adjust to demand. But such adjustment is not by itself enough. It is equally necessary that proper marketing facilities should be introduced so that the cultivators may not be defrauded of their natural profit. There has been a demand in this province for a long period for the establishment of a scientific marketing machinery. But so far all attempts in this direction have become abortive. Not only a chain of middle men eats up the larger portion of the profit, but what is more, the largest buyer, namely the mill-owners in the Calcutta area, purchase jute at his leisure and at his convenience, while the growers, being needy people, have to part with their jute at once. The result is that although the supply may be equal to the actual demand, price is not regulated by such adjustment. If this state of things is to be rectified it is essential that some marketing machinery must be developed without delay, so that through the help of this machinery the buyers may be compelled to purchase at the proper price.

The co-operative movement in respect of the sale of jute became a failure in the past. During the years 1925-29 a number of jute sale societies was established and a central organisation was also set up. But due to circumstances into which it is not necessary at this place to enter, the attempt at co-operative marketing of jute

absolutely failed. That this failure was due mostly to the extraneous causes is indirectly admitted by the majority of the Bengal Jute Committee of 1932 when it pointed out that "the failure of Jute Sale Societies is not conclusive evidence against the feasibility of co-operative marketing." It is unfortunate that nothing has virtually been done by the Co-operative Department to organise co-operative sale of jute in this province since this recommendation was made. It is true that the Department was for years in a quandary and the Benal Jute Enquiry Committee of 1938-39 could not urge on that account the establishment of jute sale societies. But now that the new Co-operative Act has been in force, the Department should pay attention to the marketing of jute. The Jute Committee of 1932 had also recommended the establishment of regulated jute markets on the lines of the regulated cotton markets in Berar and Bombay. Subsequently, the Indian Central Jute Committee which has now been at work for more than five years also collected materials for decision as to the establishment of regulated markets. But neither the recommendation of the Bengal Jute Committee has been acted up to nor have the efforts of the Indian Central Jute Committee materialised at all. In regard to the marketing of jute we are where we had been before. The cultivators are left to the mercy in the first instance of the *Farias* and *Beparis* and secondly, in the selfish clutches of the jute mill-owners in the Calcutta area. This is a situation which may be characterised only as anarchical and as anarchical it is atrocious !

THE RESERVE POWERS OF THE GOVERNOR AND RESPONSIBLE GOVERNMENT IN BENGAL

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THE resignation of Dr. S. P. Mookerjee from the Council of Ministers of the Governor of Bengal, and the statement issued by Dr. Mookerjee on the 23rd November last, assigning the reasons for his resignation, have created a serious constitutional situation in Bengal, or for the matter of that, in the whole of India. Dr. Mookerjee in his published statement has thought fit to bring forward several grave charges against the Governor and his Government. He has said that his experience as a Provincial Minister for eleven months has taught him that " the Constitution that functions under the so-called system of Provincial Autonomy is a colossal mockery." He has complained that " Ministers, while possessing great responsibility for which they are answerable to the people and the Legislature, have very little power especially in matters concerning the rights and liberties of the people." He has found that in Bengal " a dual Government has functioned during the last one year and the Governor has chosen to act in many vital matters in disregard of the wishes of the Ministers." Finally, he has thrown out an open challenge to the British Prime Minister, or the Secretary of State for India, asking them to hold an enquiry into the manner in which popular rights have been disregarded in Bengal against the advice of responsible Ministers.

Apart from the Minister's " general dissatisfaction with the attitude of the Governor," two specific matters, as Dr. Mookerjee tells us in his statement, hastened his resignation. Collective fines have been imposed in different districts of Bengal, and although the Ministers made " repeated demands " to reconsider the policy underlying the imposition of collective fines, yet the Governor by exercising his " individual judgment " turned down all such demands. As regards the relief operations in the cyclone-devastated areas of the district of Midnapore, the interference of the Governor, we are told,

was still more glaring. There was "grave negligence on the part of certain officers of Government with regard to the organisation of immediate relief." But the Ministers were "helpless in securing redress on account of the dilatory and unsympathetic attitude of certain officials and of the attitude of the Governor himself." They could not perhaps take disciplinary action against the recalcitrant officials, because the Governor by exercising his reserve powers under the constitution, might stand in the way.

It appears that the Governor's "special responsibilities," his "individual judgment," in short, his enormous reserve powers are the greatest stumbling-block in the path of responsible government in Bengal. When the proposals for the new constitution of India were before the British Parliament, Sir Samuel Hoare, the Secretary of State for India openly admitted that the class of reservations and precautions known as special responsibilities were not mere "paper-safeguards." They did not come out of the minds of theorists. They were safeguards with sanction behind them and with effective executive action to be put into effect if need arose. The Secretary of State assured the members of Parliament that "the Services were behind them, as the executive to carry out the Governor's orders"; and he further told his hearers that in India "the only valid orders were the orders of the Governor-General and the Provincial Governors." Sir Samuel Hoare was no visionary; he was a stern realist in politics. In the administration of India, he steadfastly adhered to the motto of strong and resolute Government. He could therefore tell the House of Commons that the "Services" with their long traditions of courage and loyalty would always carry out the executive orders of the Provincial Governor. The independence movement in Ireland or the Irish case, about which so much was heard during the course of that controversy in Parliament, was, in the opinion of the Secretary of State, quite different from the case of India. India, according to him, would never be able to follow the Irish example, because the conditions of British rule in the two countries were so dissimilar. Here is the emphatic assurance of the Secretary of State:

"The Governor-General in Ireland is appointed on the recommendations of the Irish Government, left with no powers, no Services, on which to depend for executive action. We have withdrawn the Services from Ireland. We have kept no Army there, as the last

and ultimate resource in time of crisis. It is only necessary to state the two cases in a sentence or two, to show how the Irish case, so far from being an analogy to the Indian case, is a direct contrast and antithesis.'' (Hansard, 10th December, 1934, pp. 52-56.) Therefore, in the opinion of Sir Samuel Hoare, the author of the Government of India Act, 1935, the two most important and effective sanctions behind the '' special responsibilities '' of the Governor were the British Army and the Civil Services in India. They would put into effect the special responsibilities or the reserve powers of the Governor. It seems that even now the British Government is not forgetful of this fact. Only a few months ago, Mr. Churchill, the Prime Minister of England, in an important pronouncement on India made in Parliament, asked the British people not to become nervous about the Indian political situation. He referred, with a good deal of pride and confidence, to the fact that the British Army in India to-day was stronger and more numerous than it had ever been since the advent of the British power in this country. As regards the Services, Mr. Churchill could have no doubt as to their loyalty and efficiency. They are '' the steel frame '' of the whole structure of Indian administration. On the 2nd August, 1922, Mr. Lloyd George, the then Prime Minister of England, emphatically declared in Parliament that he could see no period when the British Government could '' dispense with the guidance and assistance of the small nucleus of the British Civil Service.'' The conclusion of this speech was even more significant: '' There is an institution which we will not interfere with, there is one institution we will not cripple, there is one institution we will not deprive of its functions, or of its privileges, and that is the British Civil Service in India.'' This statement in Parliament created consternation in this country, because the statement of Mr. Lloyd George went directly against the assurance, given by Mr. Montagu in his speech in Parliament on the Government of India Bill, 1919, regarding the future position of the Civil Service in India. '' As time goes on,'' Mr. Montagu told us, '' that Service must carry out the wishes of those who dictate the policy. It must ultimately be in India that the policy which the Civil Service is to carry out must be dictated to it.''

In spite of important constitutional changes, the position of the Civil Service in this country has remained absolutely unshaken.

In 1915, Herbert Fisher, a member of the Royal Commission on Public Services in India, said: "In India, the Indian Civil Service is the Government." The Reforms of 1919, and the pious hopes of Mr. Montagu, could not alter this hard fact. In their evidences before the Reforms Enquiry Committee of 1924, different Provincial Ministers pointed out the constitutional difficulties they experienced in their relations with the Services. Many of the Ministers felt that the Services could look to higher powers for the enforcement of ther views in cases of their differences with the Ministers. The Minority Report of this Committee, after reviewing evidence, came to the conclusion that the entire constitution, the methods of recruitment and the control of the Services, were incompatible with the situation created by the Reforms. But these recommendations of the Minority Report were not taken into consideration at all at that time. In 1925, a keen observer of Parliamentary Government, Mr. J. A. Spender, had occasion to watch the proceedings of the Indian Legislative Assembly at Delhi. His impressions, which he embodied in his book—*The Changing East*—were that the members of the Services in India had failed to adapt themselves to the new conditions of Parliamentary Government. They might be good as administrators in their own way, but they could not successfully play the dual rôle of executive heads and parliamentary spokesmen in the Assembly. In the sessions of the Indian Round Table Conference in London, different Provincial ex-ministers gave utterance to their views that it was extremely difficult to combine responsible government with the present organisation and powers of the Services in India. The reaction of the British Government to such proposals was shown in the maintenance of the *status quo* as regards the organisation, emoluments, tenure, and power of the Services, and in further setting up the reserve powers and special responsibilities of the Governor.

The prospects of responsible government, therefore, in this country were far from encouraging, when Provincial autonomy was inaugurated in the different provinces of India, on the 1st of April, 1937. From the very outset, responsible popular ministers had to reckon with two reactionary or adverse forces, namely, the Services, and the special responsibilities or reserve powers of the Governor. The Working Committee of the Indian National Congress had no illusion about the value of the Reforms of 1935. The Congress contested the elections

of 1937 and secured majorities in many of the Provincial Legislatures. But on the pending question of office acceptance, the All-India Congress Committee at Delhi, by a resolution passed on the 18th March, 1937, resolved that permission be given to Congressmen to accept office in provinces where the Congress commanded a majority in the Legislatures, provided, the Leader of the Congress Party was satisfied and could state publicly that the Governor would not use his special powers of interference, or set aside the advice of ministers in regard to their constitutional activities. It is not difficult to understand the reasons for this resolution in the light of Sir Samuel Hoare's opinion about the special powers of the Governor. Without such an assurance or undertaking on the part of the Governor that he would not interfere with the constiutional activities of his ministers by the frequent exercise of his "individual judgment," the Congress could not shoulder the responsibilities of Government with a clear conscience. Such an assurance, however, was not forthcoming, and the Congress Parties in the different Provincial Legislatures, strictly in accord with the terms of the Delhi Resolution, refused to form ministries at the invitation of the Provincial Governors. This refusal of the Congress to form ministries in the different provinces, created a good deal of sensation at that time. But the verdict of history supports the correctness of the Congress decision. We now find that Dr. S. P. Mookerjee had to resign his office exactly on this issue. The working of Provincial Autonomy in Bengal during the last five years has not succeeded in establishing any healthy parliamentary convention. The constitutional situation is exactly where it was at the time when Sir Samuel Hoare made his famous pronouncement in Parliament regarding "the special responsibilities." If the question of collective fines and the administration of cyclone relief do not fall within the constitutional activities of a Provincial Ministry, and if, even in such matters, the advice of responsible ministers is set aside by the Governor through the exercise of his special responsibilities, then the chances of responsible government in India are remote indeed.

Prof. A. B. Keith, perhaps the greatest living authority on the constitutional systems of the British Empire, has made some important observations on the possibilities of responsible government in the provinces of India. He was no lover of the Constitution of 1919, because "that constitution as enacted and as operated effectively

negatived any real test of the capacity of Indian ministers to work responsible government." The insight, which he derived from his membership of Lord Crewe's Committee on the Home Administration of India, convinced him that radical alterations in the principle of control would be essential, if the principle of responsibility was to be tested in India. He had, however, better hopes about the Act of 1935 inasmuch as it recognised the failure of the Act of 1919, and presented the possibility, in the provinces, of true responsible government. Large powers of intervention were reserved to the Governors, no doubt, but the task of inaugurating responsible government in the provinces at least was not so impossible as it was under the Act of 1919. (Keith—*A Constitutional History of India*, Preface, written in February, 1936.)

Keith, however, was soon disillusioned. When the Congress Parties, in the year 1937, declined to form ministries, unless the provincial governors were prepared to give an assurance that they would not use their special powers of interference or set aside the advice of ministers in regard to their constitutional activities, the Governors of the different provinces of India took the unprecedented and unwarranted step of appointing ministers from the Minority Parties in the Provincial Legislatures. On the 1st of April, 1937, Keith wrote an important letter to the Editor of *The Scotsman*, in which he clearly pointed out that such "Minority Ministries were a negation in terms of responsible government," because such ministries meant government by Ministers, who had not the support of the majority of the Legislature. In the case of deadlocks, Keith vastly preferred that the Governor should take over charge, because he thought that "responsible government should not be misused to conceal its break-down." As to the demand of the Congress in terms of the Delhi Resolution of March 18, 1937, Keith considered that the Leaders of the Congress fully understood the principles, as well as the working of responsible government. The demand made by Congress was, on the face of it, not improper. It was simply that "the Governor will not use his special powers of interference, or set aside the advice of Ministers, in regard to their constitutional activities." In the opinion of Keith, the Resolution of March 18, was framed with much adroitness and with a full sense of the gravity of the issues involved. He writes: "It is the essential merit of Mr. Gandhi, and of Congress at his initiative,

that it had studied the principles of responsible government, and that it realises, what Sir Samuel Hoare has never grasped, that it is wholly incompatible with executive safeguards. The Government of India Act, 1935, suffered, therefore, from the first from the grave defect that, while the British Government insisted that it was conferring responsible government, it made responsibility unreal by placing special responsibilities on the Governor, including the maintenance of peace and tranquillity, and the protection of the services." The proper constitutional course for the British Government, however, would have been to give within clear limits, legislative safeguards, instead of executive safeguards, to the Governor to be operated by the Law Courts. But all such appeals, to the British Government, at the time of the passing of the Act of 1935, proved unavailing. The next best course, no doubt, could have been the adoption of a clear and definite constitutional understanding that the special responsibilities of the Governors would be restricted in operation to matters of the gravest character. Some such understanding was envisaged by the Delhi Resolution of March 18, 1937. But it now appears that the spirit of this understanding was not appreciated in Bengal, and the result was that Dr. S. P. Mookerjee had to relinquish his office, on account of the interference of the Bengal Governor, as Dr. Mookerjee tells us in his public statement, in the constitutional activities of the Bengal Ministry. In the light of such happenings it cannot be said that, in refusing to form Governments, the Congress Party was in the wrong in 1937, for, apart from its fundamental objections to the Constitution, such interferences by the Governor, as Keith points out in his letter of 1st April, "reduce ministerial responsibility to a farce." (Keith—*Letters and Essays*, 1936-37, pp. 107-110).

All this seems to suggest the desirability of some authoritative definition of the Governor's reserve powers, preferably in statute form. The Provincial Governors in India, in spite of their talk about responsible government, are swayed very much by their Crown colony outlook. Provincial Government in India is, at best, a kind of mixed Government. The Provincial Governor constantly receives instructions from the Governor-General and the Secretary of State. He is an agent of the Imperial Government, and he has to safeguard imperial interests. It is, therefore, very difficult for any healthy constitutional convention to grow on Indian soil. "Every political

constitution, in which different bodies share the supreme power," wrote Lord John Russell to the Governor-General of Canada, on October 14, 1839, "is only enabled to exist by the forbearance of those among whom this power is distributed. In this respect the example of England may well be imitated." Such forbearance, however, cannot be expected in Indian conditions. In the British colonies, responsible government developed during the nineteenth century, largely, as the result of understandings and conventions. The transformation from representative to responsible government was effected there by the words "during her Majesty's pleasure." The pleasure of the Crown was to be exercised by the Governor according to the view of the conduct of ministers taken by the Assembly. Thus a far-reaching constitutional revolution was effected quietly by a change of phrase, by the fiction of a formula. In December, 1854, Lord Elgin, who placed responsible government in Canada on an unshakable foundation, wrote thus to the Colonial Secretary, Sir George Grey, about the influence and duty of a constitutional Governor: "It is not, however, in my humble judgment, by evincing an anxious desire to stretch to the utmost constitutional principles in his favour, but, on the contrary, by the frank acceptance of the condition of the Parliamentary system, that this influence can be most surely extended and confirmed." Wise and statesmanlike words indeed, which unfortunately can have no application to India. In the Dominions, again, there has been a movement, for some years past, for a definition of the reserve powers of the Dominion Governors. The Irish Free State Constitution of 1922 did not trust the established conventions of the British Constitution. The Irish Free State Act embodied those conventions in legal phraseology. If Ireland cannot put reliance on conventions, if Dominions like Canada and Australia cannot safely depend on the custom of the constitution, what should we think about India? In India, the need for the definition of the reserve powers is all the more urgent and vital. The statement, issued by Dr. S. P. Mookerjee after his resignation, demonstrates that the reserve powers of the Governor—his "special responsibilities"—should be reduced to known and positive principles. In the light of our knowledge derived from the published statement of Dr. Mookerjee, it seems to us absolutely essential, that any ministry, taking office, should know beforehand what limitation upon its policy the ideas and habits of the Governor

may impose. Moreover, it is perhaps still more important that such knowledge should be public in order that opinion in the country may habituate itself to a body of ascertained, defined and established principles which would serve to prevent the perversion of the Governor's prerogative to other ends. The present elasticity of the Governor's reserve powers leaves dangerous room for his arbitrary intervention. The issues at stake are now too momentous for doubts to be left unresolved. It is encouraging to find that Mr. Evatt, who was a few years ago a Justice of the High Court of Australia, takes such a view of the reserve powers of the Dominion Governors in his book, *The King and His Dominion Governors*, published in 1936, and it is also significant that Professor W. P. M. Kennedy of the University of Toronto, in his *Constitution of Canada*, agrees with the view of Mr. Evatt that a Governor's exercise of the Royal Prerogative should be governed by definite legal regulations. As to the complaint of Dr. S. P. Mookerjee about a double government functioning in Bengal, at the present moment, I shall have something to say regarding its sinister constitutional implications, in the next issue of this Review.

TURKEY

DR. NARESH CHANDRA ROY, M.A., Ph.D.

SOME time ago was celebrated throughout Turkey the 19th anniversary of the establishment of the Republic which was proclaimed on the 29th October, 1923. The two decades which have elapsed since then have been years of all-round progress in Turkey. We are taking this occasion to recapitulate what this Islamic country was before the last war and what it has become in the midst of the present.

The four years previous to 1923 were crowded with events of far-reaching significance for the Turkish people and their homeland. It is common knowledge that Turkey had joined hands with the Central European powers in the last War and was defeated decisively by the Allies. This defeat threatened Turkey with virtual extinction as a state. It was as early as 1853 that Czar Nicholas I of Russia observed in course of a conversation with the British Ambassador: "We have on our hands a sick man—a very sick man. He may suddenly die upon our hands." The observation was about Turkey. Although the sick man survived the Crimean War and many other wars as well, he continued to be sick and in 1918 his collapse was looked forward to with eager expectation in western countries. But as in the past, the expectation proved false on this occasion also and the patient, as a result of the blood bath during the ensuing four years, not only survived but became fresh and vigorous again. Many people regretted that Turkey had not collapsed and many more regretted that it had ceased to be even a patient. In any event it is a fact that Turkey had its rebirth after four years of travail.

Turkey as the premier Islamic state had reached its zenith in the 16th century. It had by then established a strong foot-hold in South-eastern Europe and even threatened Vienna. Rebuffed from there it still continued to be a very important political factor to be reckoned with. But it should be known that although it had been defeated by European skill and strategy in a crucial encounter and was henceforward only on the defensive, it still stuck to its traditional

system both in civil administration and in military organisation. It was not till after the Russo-Turkish War of 1768-74 and the Peace Treaty of Kuchuk Kinarja which followed it that Turkish attention was turned to the good points of European civilisation. It had been brought home to the Turkish government that without the assimilation of European science and culture, it would be impossible to defeat the European powers in any field. It should of course be emphasised that for nearly a century after this Turkey, though now interested in Europeanisation, was really enthusiastic in giving the army alone a European training and organisation. In general education, political system and social traditions it clung to the coat tails of the past. It was not till after the end of the Crimean War that an all-round movement of reform on Western lines was first undertaken. This movement also which had been sponsored and developed by the great statesman, Midhat Pasha, was cut short. It died with Midhat who was regarded as a danger by Sultan Abdul Hamid II.

The reign of this Sultan represented the last attempt on the part of the Porte to maintain the empire on old reactionary and antiquated lines. Abdul Hamid, of course, made an appeal to a new force as an alternative to reform on western basis. He was the Sultan of Roum and the Caliph of all the faithfuls. Though he might not have any temporal control over the destiny of Islamic people outside the Turkish empire, as Caliph he could command their spiritual allegiance. It was his purpose to organise Islamic peoples in every country as a force behind his throne. His agents were soon abroad. They preached Islamic solidarity and this Pan-Islamism became a new factor in world politics.

It must be said that for over three decades he maintained the authority of the Sultan and the integrity of the Turkish empire. But his shrewdness was not sufficient to cope with new factors either on the home or on the international front. Inside the empire what was called the Young Turk Movement was set on foot. Its object was the achievement of national unity and democratic government. It cannot exactly be said that the Young Turks were anti-imperialistic. They were not really found to be in favour of the withdrawal of Turkish authority from provinces inhabited by non-Turkish people. But theoretically at least they wanted the Turkish state to be organised on the basis of Turkish nationalism alone. Pan-Islamism as

a basis of politics was anathema to them. It was in fact replaced as an ideal by Pan-Turanianism. They, in other words, were theoretically in favour of giving up those provinces which were inhabited by non-Turkish people and enthusiastic about the extension of Turkish authority over all regions including Caucasia which were inhabited by people of Turanian origin.

The Committee of Union and Progress, the organ through which the Young Turks happened to work did not prove to be, as it has been pointed out already, a stickler for principle. It tried to cling to the old Turkish empire, supranational though it was, as long as it could. The Committee did not otherwise also inspire uniformly the confidence and respect of the people. But it succeeded in bringing about the revolution of 1908 as a result of which parliamentary institutions were set up. But because it compromised with its professed principles and did not evince sufficient organisation, ability and vigour, it gradually lost popularity. But it has to be admitted that the Committee of Union and Progress prepared the ground which was later to be utilised more effectively and successfully by Mustafa Kemal Pasha, who also had been associated with this movement.

Born in 1880 in Salonika, Mustafa Kemal entered a military academy early in life and turned out to be both a dashing and vigorous soldier and an effective political revolutionary. When the War was over and the Allies had the Sultan and his government at Constantinople completely in their clutches, Kemal managed to get himself appointed as the Inspector-General of Turkish forces in Anatolia. This provided an opportunity which he exploited in full measure. Sultan Muhammad VI had made himself a willing tool in the hands of the Allies. The latter had plans ready not only to maintain the Sultan only as a puppet at Constantinople but to slice off Turkish territories in Asia and distribute them among themselves. Kemal and his associates saw the possibility of complete effacement of Turkey as an independent state. The danger stimulated his patriotism and brought his organisational ability into full play. In Anatolia his national and patriotic ardour proved infectious and people rallied to his banner. An assembly was convoked and a document called the National Pact was issued.

Meanwhile a considerable Greek army had entered Asia Minor and was proceeding against the capital which Mustafa Kemal had

organised at Ankhara in the heart of Anatolia. Italy, when it entered the War on the Allied side in 1915, had looked forward to a large accession of territory. In fact she was promised such accession in Asia Minor. But Britain and France had no intention of fulfilling the promise which they had made and Britain egged on Greece in Asia Minor so that Italian adventure in that quarter might be forestalled. So the Turks under Kemal had to fight and defeat the Greeks before they could achieve their object.

We have pointed out already that the possibility of the dismemberment of the Turkish state had stimulated the Kemalist opposition. The occupation of Smyrna by Greek troops created that wave of patriotic feeling among the Turks of Anatolia which made it possible for Mustafa Kemal to organise his national movement on a solid basis and create a national Government at Ankhara which could again stimulate the active co-operation of the Turkish people. The war against the Greeks turned out to be a long drawn-out affair. It was not till the autumn of 1922 that the Kemalist forces found it possible to defeat the Greek army finally and drive it out from Asia Minor. During this period of arduous struggle a Turkish national army grew from strength to strength and the determination of the Turks to maintain the independence of their home land was increased correspondingly.

There are many reasons why the Greeks ultimately lost the war though they had started with superior advantages. It is not necessary to emphasise the fact that an invading army may get depressed when it is opposed at every step and in every way by an army defending its own hearth and home and fired with intense national patriotism. In spite of this factor in favour of the Turks they might have lost the war if the Allied powers who had instigated the Greeks helped them substantially and uniformly in their career of imperialism. But peoples who had maintained such a hard fight against the Germans for four years naturally became war weary after 1918. Nor was the Greek cause in Asia Minor so exalted as to inspire their zeal. Even Mr. Lloyd George found himself without support in his crusade against the Anatolian Turks. It should again be mentioned that in addition to general war weariness there was intense rivalry between the Allies in respect of Turkey. This rivalry proved considerably helpful to the Turks in achieving their national triumph. It should also be emphasised that Russia, which under the Czarist Government

had been so consistent an enemy of Turkey, was now a source of steady assistance. Without it it is doubtful if Turkey could have withstood the storm.

When the War was at last over the problem arose as to how the outstanding diplomatic questions should be solved. To this end a conference was called to meet at Lausanne, which, after one break-down, made a final settlement of the outstanding issues. Ismet Pasha, the present President of the Turkish Republic, was the Turkish plenipotentiary. He knew the Turkish mind very clearly. Lord Curzon, that superior person, who represented Britain in the first conference, tried to maintain imperialist privileges in Turkey by his blustering tactics. He even staged a break-down and left Lausanne in a huff. But the bluster proved ineffective. Ismet Pasha (now Ineunu) stuck to his gun. So ultimately the Kemalist Government won its points.

As a result of the treaty now signed, Turkey became a full-fledged independent national state as it never had been before. The capitulations which were not only a badge of political inferiority but which had shackled so much Turkish industry and trade were at last abolished. They had given the nationals of other countries in Turkey the right to be tried by their own judges under their own laws. They had also given them not only the right to establish commercial firms in Turkey as they pleased but they had also exempted them from taxation. It can only be imagined how these rights enjoyed by foreigners choked Turkish liberty and undermined Turkish prosperity. They were now done away with after heavy blows in the field and hard knocks across the diplomatic table.

Ankhara continued to be the capital of the Turkish State but not only Constantinople but a good portion of territory in Thrace remained in Turkish hands. This was certainly a severe disappointment to those Europeans who had demanded for half a century the expulsion of the sick man bag and baggage from the continent. Apart from this foot-hold in Europe, Turkey became essentially a nationalist state in Asia Minor with an almost homogeneous population. This homogeneity was considerably augmented by the interchange of populations allowed by the Lausanne Treaty. The question now is as to what lines the further development of this new national state would take. In fact there could be very little doubt as to these lines. The heritage of the Young Turks, the outlook and policy of Kemal

himself and the principles cherished by the men about him pointed to a new modernised Turkey. As early as the 23rd April, 1920, the law of Fundamental Organisation was drawn up at Ankhara and it served later as the basis of the present Turkish constitution.

That the destiny of the new Turkish national State could not be fulfilled with the Sultan and Caliph at its head was known to everybody who appreciated the mission of its new organisers. The Sultan and Caliph was the symbol of an order which had vanished, and he could not fit in with the new order of things. In November, 1922 the Assembly at Ankhara declared the form of government which had been maintained so far in Constantinople as obsolete. The sovereignty which had been vested before in the Sultan was now declared as located in the mass of the people. Muhammad VI refused to abdicate but after a while when an order was issued for his trial on charges of high treason he fled away to Malta. This flight was regarded by the Government in Ankhara as tantamount to his abdication. It was also made an occasion for the abolition of the Sultanate. But while there would be no Sultan at the head of the State, people's feelings which had not yet definitely hardened against the spiritual functions of the Caliphate were not allowed unduly to be ruffled by the abolition of this institution as well. It was assumed that the Caliph and the Sultan were two independent personalities, the one being the political head of the State, the other being the spiritual head of Islam. While the Sultanate was abolished, another person was elected by the Assembly to be the Caliph. But this arrangement could only be transitory. The Caliph without the Sultan could not exist. Early in 1924 his office also was formally abolished and the ship of the Turkish state was henceforward to go ahead without being impeded by its old trappings.

In October, 1923, Turkey was declared a republic. Under the constitution all legislative and executive powers of the State are vested in the Grand National Assembly which is chosen by the people. The Assembly in its turn is responsible for electing the President of the republic from among its own members. The President is given only a suspensory veto over the laws passed by the Assembly. It is also to be mentioned that the Ministers of the President are responsible to the Assembly. From this description of the constitutional mechanism it may appear to the unwary reader that Turkey is not only a republic but a full-fledged democracy. But actually during the last

two decades the new State has been essentially a dictatorship tempered by public opinion which is alert and active. How could this have been? Simply because the Assembly is elected by the people it should not be taken for granted that it is the symbol of democracy. It should be noted that in Turkey all members of the Assembly have to belong to one party, *e.g.*, The Republican People's Party. By statute Mustafa Kemal was until his death the President of this Party. President Ineunu has succeeded Kemal to this office. The President of the Party is empowered to appoint its Vice-President and General Secretary. These three together constitute a Council which selects the candidates for elections to the Assembly. So ultimately the Assembly consists of persons in whom the President has confidence and upon whose support he can always count. Possibly for the transitional period this presidential dictatorship has been necessary and possibly without it the Government could not have been as efficient and enlightened as it has proved to be. Let us hope that the existing system is the stepping stone to full-fledged democracy.

Many orthodox Muslims in India had joined the Khilafat movement after the last War and suffered incarceration on that account. But their disappointment was certainly very keen when they found that in March, 1924, the Turks under Kemal abolished the Caliphate. Still keener must have been their chagrin when they found that Turkey cast in its lot with progressive forces in the world and introduced one reform after another which cut it adrift from Islamic moorings. Education and law which were both part and parcel of religion in Turkey were soon divorced from it. All mosque schools were closed and education from the primary to the University stage, which has been largely extended, has been completely secularised. The civil law regulating succession to property, etc., is no longer governed by Islamic principles. It has been modelled on the Swiss code. Women who had been behind the purdah are now to be seen everywhere in Turkey, employed in responsible capacities. They have been granted the right to vote and to become members of the Assembly.

Many of the old Islamic institutions and practices were regarded as a drag upon national life and have been abolished accordingly. The monasteries of the dervishes which were an important factor in social and religious life have been closed. The Islamic chronology has given place to the European calender. The Koran has not only been

translated into Turkish but it is recited in such translation in the mosques. To crown all, Islam has ceased to be the state religion and Sunday has replaced Friday as the day of rest. The ambition of the Turkish people to-day is not to flourish as the premier Islamic state in the world but as a progressive and go-ahead national state, with its moorings in Turanian language and civilisation.

The last three years have been an anxious time for Turkey. While it had no longer Kemal Ataturk at its helm, it was confronted with a diplomatic situation which called for supreme caution and wisdom in its rulers. It cannot be said that the new President and his advisers have been lacking in such caution and wisdom. They have avoided troubles so far by maintaining strict neutrality. It should not, of course, be inferred from this neutrality that Turkey's self-interest is not bound up with the ebb and flow of events on either side. In fact the pan-Turanianism of present day Turkey makes its ambition inconsistent with the integrity of the Soviet Union. Although the latter was a good friend in the difficult years immediately after the last War, it should not be assumed that Turkey would not try, if opportunity came, to profit at the friend's expense. On the other side again Italy's possession of the Dodecanese islands and its unconcealed ambition in Asia Minor cannot but evoke Turkish resentment and if opportunity came the Government at Ankhara will not hesitate to nip this ambition in the bud. For the time being, however, Turkey can only bide its time and that as a strict neutral.

AKBAR

IN November last, both in London and in many cities of India, was celebrated the 400th anniversary of the birth of Akbar. It may appear very strange and incongruous that Mr. Amery, the Secretary of State for India, who has possibly outdistanced every other British administrator and politician in stimulating separatist forces in this country was a principal speaker at the anniversary meeting in London and expatiated at length upon the policy of unity and strength which the Great Mughal had pursued with so much success and effect.

Born in environments at once tragic and romantic at Umarkot on the 23rd November, 1542, Akbar rose to become in more than one sense one of the greatest empire-builders in India. We may even go to the length of saying that he was the greatest of such builders in this country. It is true that his empire was lesser in extent than over what Asoka and Aurangzeb presided. But the extent alone should not be our criterion in judging the greatness of an empire in Indian history. India is geographically cut out for political and administrative unity. A strong government, with the resources of Northern India at its disposal, might today or tomorrow extend its sway over the remaining portion of the peninsula. So Akbar might not have sufficient opportunity in his own life time to extend the authority of Delhi over the greater portion of the South, but it does not take away from the greatness of his rule. Such an extension, after the ball had been set rolling, was only a matter of time provided in other respects the policy he had laid down and the principles he had initiated, were adhered to by his successors. It is in the enunciation of these principles that the real greatness of Akbar as the builder of an empire in India consisted. And this greatness was unique in character.

Akbar solved a problem which did not exist in the time of the great Hindu and Buddhist rulers in this country and which none of his Muslim predecessors, in their shortsightedness, recognised as a problem at all. Before the advent of Islam, there was no doubt, diversity in races and creeds in India: There had been not only

differences already inside the country but such differences had been further accentuated by the entry into India of the Greeks, Sakas, Hunas and other Yavanas. But the new-comers did not long stick to their own customs and traditions. In fact they made hardly a resistance to the powers of assimilation which the population in this country possessed and exercised. The Muslims, however, came to this country as the standard-bearer of a new faith and the promoters of a new civilisation. They were not out for assimilation in the great Hindu social system. They were out to impose their own faith and social organisation upon the local people. The gulf between the new-comers from the land of Islam and the old population in the country, who stuck to their own ideals and traditions, looked in consequence unbridgeable except by the extinction of one or the other of the social systems. In the beginning, the Sultans of Delhi, fired with religious zeal and still imbued with optimism, born of rapid successes, believed in the possibility of complete Islamisation of the Indian people and acted in accordance with this belief. Later, when this optimism was considerably undermined and when faith in complete Islamisation of the country faded away, they could not still think of any principle and evolve any plan on the basis of which India could be administered to the satisfaction of both the Hindus and the Muslims.

Hitherto, the Hindus led only a precarious existence under Muslim rule. They had been subjected to the Jizya and were treated in every other respect also as inferior inhabitants. The state was the Muslim state with the faithfuls alone enjoying full rights of citizenship. The non-Muslims were only suffered to remain within its boundaries. This is an arrangement of things which could continue only temporarily, pending either the conversion of the non-faithfuls to Islam or their total extinction. In case the non-Muslims showed vitality and resisted both conversion and extinction, the state could only be imperilled. In fact the Hindus in India, proud of their religious and social organisation and imbued with the past traditions of their community, did not ever show any willingness to be reconciled to the fate which Islamic law prescribed for them. In view of this what principles would a wise ruler think it necessary to adopt and follow ? Akbar answered this question.

The spirit of the age in which Akbar was born and the political circumstances in which he began his reign certainly re-inforced the

natural predilections of this great ruler in regard to attitude and policy towards non-Muslims. The sixteenth century was an age of great searching of heart. Saints and philosophers were vying with one another in preaching toleration, in declaring as worthless the outward forms and ceremonies of religion and in inculcating in the mind of the people the idea that all men, irrespective of their social and religious affiliations, were the children of the same God and protected by Him in the same way. The Sufi philosophers who were so near Akbar's throne must have turned his mind in this direction, even if his impressionable mind was otherwise insensible to this spirit of the age.

The political conditions not only at the accession of Akbar but for years after were unfavourable. Babar, his grand-father, had conquered northern India but had little time at his disposal to stabilise and consolidate the position of the Mughals. Humayun, his successor, was too good an opium-eater to devote the energy to the government of the realm, which circumstances demanded. He was ousted from his father's throne and driven into exile. The Pathans under Sher Khan regained their lost positions and re-entered upon their heritage. Even when the throne of Delhi was recovered for the Mughals and Akbar found himself upon it, the Pathans were still an important factor to be reckoned with. Throughout the country they were entrenched in solid positions. Beyond the frontier again the Uzbegs were casting greedy eyes upon the plains of Hindustan. Akbar could not expect to cope with these difficulties without enlisting on his side the help and co-operation of the sturdy and valorous fighters who inhabited the tract of Rajasthan. But how could he achieve this co-operation without going back completely upon the old principle of Muslim rule?

The rule that the Muslims alone were the citizens and the non-Muslims mere helots in the Islamic state was done away with and the state over which Akbar presided held all the inhabitants within its frontiers to be equal citizens with equal rights. It is true that with all the declarations as to this equality, the non-Muslims, appointed to important and responsible positions under the government, were only a handful and they mostly the Rajputs. But the principle was frankly and boldly adopted and what was actually done in regard to Hindu association with the government was only an earnest of Akbar's great zeal for keeping the balance even between

one community and another. If his policy was accepted and pursued by his successors with sincerity, the day would not have been distant when the Hindus would have their full share of association with the administration of their country.

A great ruler who presided over the destiny of different religious and social groups and was eager not only to keep them at peace with one another but to minister to their welfare in an equal degree was naturally and inevitably led to discuss and debate the truths of different religions in a scientific manner. The House of Worship which he set up at Fatepur Sikri and the debates over which he presided there might have led to a better understanding between different communities in this country, if the rulers who came after him cherished his principles and ideals. Even though Akbar's study of comparative religion did not leave behind any result of tangible value, his efforts in this direction were not fruitless ; they showed light to generations still unborn. More bitterly again than the House of Worship, was condemned, particularly by his Muslim co-religionists, the Divine Religion which he proclaimed. There is no gainsaying the fact that it was too eclectic in character and could not on that account catch popular imagination. Its followers were few and those few were mostly his courtiers. But it had its origin in that enthusiasm for solving the inter-communal problem which all must accept as praiseworthy.

The ambition of Akbar was to preside over the destiny of a united country. Not only his writ was to run throughout the length and breadth of the Indian peninsula but differences between man and man, within the country, which distance, tradition and religion had created was to be done away with. To this end the Jizya, which was the symbol of political inferiority of the non-Muslims was abolished and the Hindus and Muslims became citizens with equal rights. In administrative arrangement also he saw to it that provincial separatism did not endanger the country's unity. It is true that he could not accept as a final administrative arrangement the abolition of the provincial system, effected by Sher Shah. But although the provinces continued to be the first units of his empire, they were not allowed to be factors of separatism within it. The establishment of the *mansabdari* system placed at the disposal of the government one service, the members of which might be transferred at intervals and at convenience from pargana to pargana and suba to suba.

These mansabdars had largely the same regulations to follow, the same traditions to uphold and the same spirit to maintain. They naturally constituted a great factor of administrative unity.

Akbar is separated from us only by 350 years. This period, though not very short, is nothing in comparison with the thousands of years in terms of which the ages have been calculated in Indian traditions. Legends could not grow round the name of this great ruler who flourished only in the 16th century. But in this ancient land where people are proud of hoary traditions which have counted for so much in the fashioning of social life and individual conduct, a ruler who has not become legendary is not, as a rule, given as much importance as he may deserve. But it is time that we think and study more of Akbar and his principles.

DR. PLACIDO DE BRAGANÇA CUNHA: IN MEMORIAM

Placido de Bragança Cunha was an Indian though he bore a Portuguese name. Born of Christian parents, brought up in Christian environments, educated in Christian institutions, he grew up to be a rationalist and closely identified himself with the cause of Indian freedom. His friends will not claim greatness for him but all his acquaintances found in Cunha one of nature's truest gentlemen, charitable, courteous and kind. He never sought publicity and his name in life or death did not figure in newspaper columns but those who knew him well and intimately will doubtless feel that the society is poorer to-day for his loss. A physician by profession, his interests were by no means confined to medicine and surgery. He was a profound student of literature and art. A linguist of uncommon ability, he spoke with fluency and ease English, Portuguese, French and Spanish and could read a few other continental languages without difficulty. The Portuguese Department of the University owes its existence entirely to his self-denying public spirit. He felt that Indian students should have more direct contact with the great minds of Portugal and his Luso-Indian compatriots settled in British India should not be totally lost to the region of their origin. He offered to the University his honorary services and the Portuguese classes were opened. When his practice improved and he had hardly any leisure, he still continued to teach Portuguese in the University classes. It is not generally known that at least two University teachers used to read Portuguese with him at his residence during what he used to call his spare hours. All his friends knew what contributions he made to a publication, that must remain unnamed, but when the author left his obligations to his silent friend unmentioned, Dr. Bragança Cunha did not even whisper that he had anything to do with that monograph. Once a friend caused him great financial loss which indefinitely postponed his long-cherished visit to the West but Bragança Cunha was not a man to nurse a grievance. If he had any disappointments, his friends never knew of them. He liked the good things of the world and always took a rational and genial view of things. Placido placidly smiled through life and may God grant him the peace and rest he has doubtless earned. No monument may be raised to Bragança Cunha but his memory will forever be enshrined in the grateful hearts of his friends and admirers.

S. N. SEN

Round The World

What the Tory Thinks

In the September issue of the Nineteenth Century the editor makes pointed reference to the British Empire and its future. He observers: "England cannot exist without her Empire. That this is so, is at last coming to be realised by the nation. The failure of those, who are officially and unofficially responsible for the guidance of public opinion, to make plain what the Empire is and what the consequences of its overthrow would be, is worth several victorious battles to the foe. Nothing the Government have done for a long time is so popular as the arrest of Gandhi and Nehru."

In respect of all speculation as to collective security and world federation also after the War, the remarks of the editor are refreshingly straightforward. He says: "The principal guardian of the European peace can only be England. If she again neglect her defences, as she did after the last war, she is doomed—and so is Europe. If she again commit herself to any rigid system of collective security she is also doomed . . . Only by preserving the balance of power can she preserve the peace of Europe and defend her national and imperial security. There must be a complete rupture with the principles that were accepted between the First and Second World Wars—with collective security, disarmament and the League of Nations . . . A League of Nations, so far from promoting peace, will always tend to promote war."

So world affairs must be regulated on the basis of the old principle of balance of power. It is significant that Col. Amery, the Secretary of State for India and a very trusted colleague of Mr. Churchill, is a contributor to this journal and belongs to the same imperialist school as its editor. It is also significant that the Prime Minister himself in his broadcast on the 29th November last was not only silent as to any world organisation when he referred to the peace settlement but foreshadowed the possibilty of some European settlement before the War was closed in the Far East. It may be added that the recently published post-War Conservative Policy of Lord Salisbury also does not refer to any world orgnisation. All this certainly provides food for thinking.

Roosevelt's Defeat in his own State

We referred in the last issue to the election of a Republican to the Governorship of the State of New York. For years past the State was held by the Democrats. Alfred Smith, Roosevelt himself and then Lehman presided in succession over the Governor's House at Albany. Dewey's election last November has, however, not only meant defeat for the Democratic Party but has been caused to a large extent by rift in that Party. James Farley was for years to Franklin Roosevelt what Vallabhai Patel has been to Gandhiji. He was responsible for managing the first two elections of Roosevelt. In 1938 he published his book called "Behind the Ballots" in which he graphically described the efforts he had made in this connection. Even at that time he was not only a close friend of Roosevelt but was the Chairman of the National Committee of the Democratic Party and Postmaster-General in the Cabinet of Roosevelt. But by the time Roosevelt

declared his candidature for the third time for the Presidency, Farley broke with him. The literature available to us during the War does not clarify the issues involved in this rupture. But the fact remains that Farley henceforward became the organiser of opposition to Roosevelt within the fold of the Democratic Party. When a few months ago the President supported the candidature of Senator Mead for the Governorship of New York State, Farley opposed it and saw to it that this candidature was rejected by the Party Convention of the State. He also saw to it that John J. Bennett who had been rather notorious as an isolationist before Pearl Harbour was duly nominated for the office. Whether this rift in the Democratic Party or only general swinging of the political pendulum has been responsible for the defeat of the Democratic candidate we do not know. But the rift is there.

Come-back of the Liberal Party

There is some wishful thinking in great Britain as to the come-back of the Liberal Party after the War. Even the *Times* expects that the Liberal Party (not that led by Lord Simon) will have prospects of rehabilitation in post-War years. There have been important causes for the eclipse of this Party after the last War. The differences between Asquith and Lloyd George which sundered it into two, the unjustified coalition of the Liberal followers of the latter with the Conservatives in years immediately after the War, the facts and rumours about the methods of acquiring and managing party funds contributed to the unpopularity of the Liberals in the country. It should also be emphasised that the Liberal Party's old programme had already been fulfilled and it had formulated none afresh, which might appeal to the people. The Conservatives were there to maintain the status quo and the Labourites were making rapid strides as the Party of progress. Between these two the Liberals had little to stand upon. It is, of course, necessary to point out that Liberalism was not merely a question of programme of work, it was also a matter of attitude. There would be people who without going the whole hog with the Conservatives in conserving things as they were might be opposed to the Labour Party in its treatment of social and economic questions. Similarly, there might be people who would be temperamentally opposed to the Conservatives but might dislike the Labour attitude as well. On which ticket were these people to vote? In fact a considerable section of the British electorate remained loyal to the Liberal Party and continued to vote in the elections on Liberal ticket. But because of the system of single-member constituencies and the absence of proportional representation a requisite number of Liberals could not be returned to the House of Commons. The Liberal leaders fought on many occasions for a change in the system of representation and for the adoption of the proportional principle but the Government for fear of disintegrating public life turned down the proposal. So the Liberals have remained in the wilderness. Those who are looking forward to Liberal revival after the War are counting upon a change in the attitude of the general body of British electors. For years past most of them have acted logically. They have either been in favour of the *status quo* or they have been in favour of changes on socialist lines. We are told that as a result of the experiences of the present War people will try to cut out a *via media*. They will not allow themselves to be the dupes of Lombard Street. Nor will they become tools of international communism. They will choose the middle path. Let us see.

Negroes in U.S.A.

The problem of preventing discrimination against the Negroes in the U.S.A. has been a serious one since the abolition of slavery in that country in the sixties of the last century. In theory they are citizens with the same rights and privileges as the whites. But in practice they have been treated as inferior beings in every field. In politics, the right to vote which they are supposed to enjoy is a mockery in those parts of the country in which they are chiefly concentrated. In social affairs they are hardly allowed to brush shoulders with the white people. It is generally assumed that in the South only there is this discrimination against the Negroes. But it should be known that even in the cosmopolitan City of New York the black population has to live segregated in Harlem area and is not tolerated in other areas. In respect of employment also discrimination has been made both by the Governments and by private firms.

Inspite of smaller educational facilities and limited opportunities of responsible employment, the Negroes have made considerable progress in their ideals and aspirations. Both politically and socially they have developed a new consciousness and are unwilling now to remain hewers of wood and drawers of water. The advent of the present war with its slogan of fighting for democracy has particularly vivified their imagination. If they are to fight for democracy, they would fight for it both against the Axis abroad and against the upholders of white supremacy at home. They became especially chagrined when they found that in defence industries discrimination against Negro employment was rampant. They decided to organise a march of demonstrators on the city of Washington. President Roosevelt on being informed about the proposal, decided at once to take necessary steps for preventing discrimination and forestalling thereby the march of aggrieved demonstrators upon the City. He knew full well of the capital which the propaganda machinery of the Axis Powers would make of such a march. Accordingly he issued an administrative order to the effect that "there shall be no discrimination in the employment of workers in defence industries or Government because of race, creed, colour or national origin." He also declared that "it is the duty of employers and labour organisations . . . to provide for full and equitable participation of all workers in defence industries without discrimination." The Declaration sounds as good as the Queen's Proclamation in respect of this country. But lest Roosevelt's Declaration should be treated as a scrap of paper in the same way as the Queen's Proclamation was, the President has appointed a Committee on Fair Employment Practice, consisting of both white and Negro members, with Lawrence W. Cramer, late Governor of Virginia Islands, as Executive Secretary. It is the function of this powerful committee to receive complaints as to any discrimination that may have been made in any industry. Another organisation with Pear Buck as its head has been constituted by the American Civil Liberties Union to look after the interests of the black population. It is expected that as a result of the activities of these bodies equality between the whites and the blacks will be increasingly attained in the U.S.A.

Some educational addresses

After we had last gone to the press, some important educational addresses were made in the country. We may first of all refer to the

speech which the Hon'ble Mr. Nalini Ranjan Sarker delivered at the Convocation of the Agra University. Among other things he emphasised in this speech the necessity of normal educational activities being carried on even in war time. To this end it is essential that educational buildings should not be taken over for military or A.R.P. purposes. "I am more than doubtful," he observes, "if the numerous officials and authorities who have the power to take over educational buildings or conscript men for war work have adequate appreciation of limits within which alone legitimate demands can be made on education for aid to the war-effort. If they have not, the evil must be traced to its deep roots in the traditional apathy of Government towards education."

Sir Mirza Ismail, the Prime Minister of the Jaipore State, also referred to education in war-time in his speech at the Convocation addresses he delivered at Patna and Dacca. He is of the same view that education cannot wait though the war goes on. In fact when war continues to take its toll and disorganises life and society, it is essential that more attention should be paid to the education of the young. It is only by offering sufficient intellectual equipment to the future generation that disorganisation can be made only temporary. Otherwise it may threaten to be permanent. Besides, war offers an excellent opportunity for studying the defects that any educational system may contain. It is the time when all on a sudden there is call for different types of trained men for urgent work. If there is not sufficient response in any one line, the gap there becomes noticeable at once. In Great Britain the Board of Education under the leadership of its President, Mr. Butler, has already instituted several inquiries and on the basis of their results reforms will be undertaken.

Sir Mirza Ismail has also in his addresses touched upon an important function of the Indian Universities. He is a stout believer in Indian unity. The very geography of the country demands its being one and undivided. Unfortunately there are two many separatist forces at work and there are some with whom division has become an article of faith. But these forces of division and separtion are to be exorcised and a sense of unity is to be made overwhelming. To this end the Indian Universities have worked in the past and must work in the future. Nothing stimulated in the nineteenth century greater sense of unity among the German people than the universities of different German states. In fact they became the most important factor of German national life. Indian universities also have opportunities of fostering inter-communal understanding and inter-provincial fellowship. The more alive the university teachers become to this function, the better for our national unity.

Kingsley Martin and India

Kingsley Martin is the editor of the *New Statesman and Nation* and professes more advanced views than the official Labour Party both in respect of socialism at home and democracy in other parts of the empire. He is in fact a very prominent member of that intellectual group of socialists who have for the last few years had grave disagreement with labour headquarters in respect of both home and imperial policy. It may appear on this score very surprising that he has gone out of his way to write to the New York *Nation* refuting the views and opinions which Louis Fischer had strung together in a series of articles on India in that journal. But there is really speaking no room for surprise. Scratch a Britisher and you find

an imperialist. This is a saying still full of meaning. There are people in Britain who may express in their relaxing moods liberal sentiments about freedom and self-government in India. But actually imperialism has gone into the British blood and none seriously entertain any project of real freedom for India. There is a general view that the Labourites are greater friends of Indian political aspirations than the Conservatives or the Liberals. Nothing is a greater delusion than this. It may be emphasised that labour programme at home is inextricably bound up with the maintenance of British control over Indian affairs. Without British predominance in this country there would be no money for financing the schemes of social service which have already been in operation in Britain and which may be undertaken on a more grandiose scale in future. On this ground the Labour Party cannot at any time be a serious friend of Indian aspirations. Secondly, it may be pointed out that imperialism comes easy not only to those people who belong to the governing class and profit immediately by the possession of the empire but it comes more easily to those who may be have-nots at home. It tickles their vanity and flatters their sense of possession. In the United States none had been greater opponents of equal rights for the Negroes than the " white trash." Kingsley Martin is not a poor white but he believes in socialism without revolution in Britain. This can, however, be achieved, if at all, only by maintaining British domination over countries like India. It is only logical that he is out for such domination. It should be also known in this connection that he is a friend and supporter of Sir Stafford Cripps. When the latter was trying to build up a popular front in Britain and was expelled from the Labour Party on that ground, Martin and his paper took up cudgels on his behalf. This friendship must have also been responsible for Martin's taking up pen against Indian freedom. Long live socialism and Empire.

Recruitment of M.G.'s

The decline in the quality of the members of the House of Commons has stimulated discussion in many quarters in Britain as to the causes of such decline and as to the remedies which might be suggested. The present House of Commons is over-age. Elected in an artificial and unnatural atmosphere in 1935, it would have expired automatically in 1940, if it was not deliberately dissolved earlier. But there are facts about this over-age House, which need not be regarded as its special characteristics. They may be taken as characterising in a rough way its predecessors as well. For instance one-tenth of the House is over seventy, one quarter is between sixty and seventy, and barely one-eighth is under forty. Nor can it be said that the Labourites fare better in this respect than the Conservatives and Liberals. Of the sixty members who are over seventy, twenty-two are of the Labour Party. Of the seventy-four members who are under forty, only six are Labourites. So the Labour Party is a worse sinner in this respect. The House of Commons is thus an over-age body not beacuse it has exceeded its statutory span of life by two years but because it had few men in the prime of life when it was first elected seven years ago. Its predecessors also were guilty in this respect. What has further accentuated the elderly character of the present House is the absence from its debates of many of those members who are still in the prime of life and who are in consequence of that fact on war duty.

Not only again the House of Commons is much too full of aged people who have lost all elasticity in their character and conduct but the quality of

the members also has never been rated very high. The House is to all intents and purposes a sovereign body. The other two factors of the Parliament, namely the House of Lords and the King, are for legislative purposes practically non-est. But while the responsibility of the House in respect of increasingly complicated problems in the country has become almost overwhelming, the capacity on its part to tackle them in a satisfactory manner has not only not developed but declined. At home the economic and social questions are far too intricate to be dealt with efficiently by people who had been otherwise busy for the better part of their life and who have little elasticity left to appreciate and study afresh these new problems. Outside the country there are the great problems of foreign affairs, of India, of the colonies. It is too much to expect that these over-age people, who have either counted their profit in a financial house in the London city or bargained with the coal-owners or railway authorities in respect of the wages of the labourers for thirty or more years, will evince that constructive imagination and width of outlook without which these questions cannot be tackled with any chance of success.

What then should be done? Are not younger people with good intellectual and moral equipment available for such honourable political work as the House of Commons provides? That such young talent is available in Britain need not be disputed. But the question is not if such talented young men are eager for membership of the House but the question is if it is possible to avail their services. The method followed in the choice of candidates and the expenses incurred at the time of election and in nursing the constituency in subsequent years are a great obstacle to the return of members with requisite qualifications to the House of Commons. The candidates of the Conservative Party are chosen by the local organisations with infrequent reference to and interference by the Party Headquarters in London. The local organisations have not sufficient imagination to look for candidates who might do really good work in the House. They only entertain the candidature of that person who, has sufficient bank balance, will be willing to spend, and will stand a very good chance of being elected. In the Labour Party the method followed is more centralised. But here also comes the question of money to be spent and the resources the candidates may have at their disposal.

"The cost of a contested election" observes a writer in discussing this question in a recent issue of the *Round Table*, "ranges usually between £300 and £1000, averaging about £600." Every four years or oftener this expenditure recurs. Besides, an organisation has to be maintained in the constituency at the expense of the candidate, which amounts to about £700 per year. Then there are, charities to which the sitting member must subscribe, and, tennis clubs which he must patronise. The Labour members are of course spared much of this expense. But still, as in the case of the Conservative Party so in the Labour Party as well, candidates with financial backing are always preferred. Meanwhile the leisured class which supplied parliamentary talent before has either been considerably reduced or has ceased to produce talent in any large quantity. Young men who have necessary equipment for parliamentary work are now, as a rule, without the wherewithal. The result is that either worthless sons of rich fathers or over-age persons, who have made their pile in other occupations, have to be chosen. In the Labour Party also those who have the backing of the trade unions or the co-operative organisations are generally preferred. But the trade unions and co-operative societies select those men as candidates who have no longer any utility in those bodies. In other

words, those who have already become misfits have the opportunity of being parliamentary candidates. It is a pity that fifty per cent. of the present Labour membership of the House of Commons is drawn from among these misfits.

Professor Laski in a recent address to the Fabian Society has emphasised the necessity of a law under which none will be allowed to stand as a candidate for a parliamentary seat for the first time after fifty. Nor should those who have already attained the age of seventy be allowed to continue in the House of Commons, unless of course he has during the last ten years been a minister and thereby given evidence of the interest he has taken and the merit he has shown in parliamentry work. The suggestion is worth consideration. We do not know if any proposal for the increase in the salary of the M.P.'s will commend itself to the country. There was a time when the British public was furious against any proposal for payment of the members. Such payment, it thought, would professionalise politics. In 1911, however, £400 was fixed as the annual salary of an M.P. In 1937 it was increased to £600. Possibly a salary of £1000 would attract a large body of young talent, if, of course, by practice the local expenses were cut out altogether.

In any event people have paid far too long considerable attention to the method of electing members of the House of Commons. It is high time that they pay equal attention to the question of choosing candidates for such election.

Chief Justice of India

The Federal Court is the creation of the Government of India Act, 1935, and was set up as it came into operation, in 1937. Sir Maurice Gwyer, who had drafted this Act was chosen as the first Chief Justice. In the course of a few more months he would complete his sixty-fifth year, which is the age limit for retirement. Sir Maurice, apart from being a great jurist is a distinguished intellectual. He is in the category of lawyers to which Lord Haldane and Lord Sankey belong. India has never grudged the appreciation of talent whatever might be its national origin. The appointment of Sir Maurice was therefore naturally popular. But simply because he was a Britisher, there was no reason why his successor should also be of the same nationality, though a man of real ability and culture might not be available for the post in Britain. Unfortunately the judges of the Federal Court are to be appointed by His Majesty and this means, under the Act, that the patronage is to be exercised by the British Cabinet, if not by the Secretary of State alone. And the Secretary of State being what he is, has chosen a man, whose name we hardly heard before, as the Chief Justice of the premier Indian Court. The exercise of judicial patronage by the Secretary of State in India has been, on most occasions, very unhappy. In the High Court circles of different provinces it is taken, as a rule, for granted that a judge imported from Britain will not be up to the mark. If some of these functionaries turn out to be of good calibre that is only good luck of the bench and the litigant public concerned. There have been, in fact, stories current in many High Court corridors that when the Secretary of State for India would be disgusted with some persistent caller, he would send him down to India as a High Court Judge. It is certainly high time that the procedure in making judicial appointments is

changed. Years ago Professor Laski suggested that in making such appointments the appointing authority should have the advice and co-operation of a panel of judges in Britain. Is it not time that the suggestion is carried out? In the federal courts of the U.S.A., the Senate is an effective check upon the appointment of undesirable persons to the bench. Before consenting to any appointment, it holds an open enquiry into the past career of the candidates nominated by the President. This procedure may also be followed with profit in India. In the appointment of judges for the highest courts, there is also involved the question of racial discrimination. In most of these courts Britishers are, as a rule, chosen as Chief Justices. This is certainly not because Indians with proper qualifications are not available.

Treaty powers of the American Senate.

Under the constitution of the United States the making of a treaty is the function of the executive with the advice and consent of the Senate. The consent again must be given by two-thirds majority. In other words unless sixty-four members of the Senate, which consists of ninety-six, express their approval, no treaty proposed by the executive will be valid. That to obtain such a majority in favour of a projected treaty is difficult and even impossible on most occasions is admitted by all who have any knowledge of the constitutional history of the U.S.A. In fact the treaty-making powers of the Senate have been characterised by certain authorities as treaty-marring powers. The most important treaty so marred in recent history was that of Versailles.

Many people may be surprised as to why the fathers of the American constitution, who were otherwise so wise, made this blunder in regard to the procedure which they provided for the conclusion of treaties. But they were possibly not very wrong in giving the existing treaty powers to the Senate, although, it must be admitted, their calculations in regard to the collaboration of the President and the Senate, which they had expected, in making treaties, did not prove correct. George Washington who presided over the Federal Convention was also the first President of the Republic. He tried during his tenure of office as President to secure real collaboration of the Senate in makipg treaties. With the project of a treaty and the relevant documents concerning it in his pocket, he went to the Senate which was then a small body of twenty-six members for consultation and settlement of the issues. In other words he wanted to make all American treaties the joint handiwork of the President and the Senate. The latter however became suspicious and was on its guard. It thought that the functions of the Senate and the President were separate and independent. The President with the help of the Secretary of State would enter into all preliminary correspondence with a foreign power and then draw up a draft treaty. The treaty so projected would then be submitted to the Senate for its approval. The procedure developing on these lines naturally and inevitably became unfavourable to the approval of the Senate by requisite majority being obtained. So there is always the risk of all the great efforts of a wise President and a helpful Secretary of State for the settlement of outstanding disputes with a foreign power being suddenly nullified by a few capricious members of the Senate.

What is to be done? There are many who are still of the view that even under the existing arrangement of things the President may easily persuade the Senate to approve of his treaty projects, provided he is in

intimate touch with the chairman and members of the Foreign Relations Committee of that house. The treaty of Versailles was shipwrecked only because Wilson was out of touch with the keymen in the Senate. In other words they are of the view that the collaboration which Washington wanted to establish in a direct and straightforward manner between himself and the Senate may be (and has been on many occasions) brought about indirectly today. But there is always the apprehension that such collaboration may not be effective at crucial moments. So it is not surprising that there is a proposal that a treaty projected by the President should be submitted not simply to the Senate but to both houses of the Congress and would be valid if they approve of it by a simple majority. But while this arrangement will simplify the conduct of foreign relations, the question is whether it will be feasible to adopt it. Its adoption is possible only if a constitutional ammendment to that effect is successfully carried but in the United States the adoption of a constitutional ammendment is a greater event than the birth of a child to a barren woman.

Reviews and Notices of Books

My Life, A Fragment—An autobiographical sketch of Maulana Mohamed Ali, edited by Afzal Iqbal, M.A. Published by S. H. Muhammad Ashraf, Bookseller and Publisher, Kashmiri Bazar, Lahore, 1942. Pp. xii + 273. Price Rs. 5-4.

In the preface the reader is informed that Maulana Mohamed Ali had originally planned a book in four parts entitled "Islam : Kingdom of God" of which he completed the first part and about seventy pages of the second only. The first part, principally autobiographical in nature, gives an account of the writer's religious antecedents and shows the gradual change from an attitude of indifference to his ancestral faith to one of deep reverence for it. The unfinished fragment which is given in the from of an appendix is concerned with the origin and development of the existing misunderstanding between Islam and orthodox Christianity.

It appears that the manuscript had been lying with the authorities of the Jamia Millia, the Islamia University at Delhi, in the foundation of which Maulana Mohamed Ali played so large and influential a part and that the editor who was engaged in making a selection of his writings and speeches approached them for assistance in his work and thus came to know of the manuscript, indeed a most fortunate accident.

What was thus come across proved so interesting that the editor held back for the time being the writings and speeches and devoted himself to editing the autobiographical part as well as the fragmentary exposition of Islamic theology incorporated in the appendix.

The reviewer would not only congratulate Mr. Afzal Iqbal on the excellent way in which he has discharged his self-imposed duty which must have involved immense labour and sacrifice of time but would also thank him for making available to the public the autobiography of one of the greatest sons of India. He feels certain that not only will this volume be welcomed by it but that the next one containing the Maulana's writings and speeches will be in equal demand. He is convinced that this demand will come not only from our Mussalman brethren to whom the memory of the Maulana is very dear but also to non-Mussalmans who can never afford to forget the prominent and unselfish part he played at a critical phase in the history of Indian nationalism.

Coming to the autobiography itself which was written when Maulana Mohamed Ali was under detention for what the British administration regarded as his undesirable political activities, we find that the essentially religious nature of the man stands out as the most outstanding feature of his character. Another equally significant fact is the immense debt he owed his mother who looked after the family and its interests from the time the father died at a comparatively early age. The autobiography proves once again that nearly all great men owe more to their mothers than to their fathers.

The concluding section of the autobiography, written when confinement had broken down the health of this great fighter, proves that his courage had remained undimmed right up to the end. There is no cry for mercy but the proud consciousness that he had fearlessly discharged his duty to his motherland. It is equally characterised by an undiminished faith

in God and a firm reliance on his goodness. This part concludes with a short chapter from the Quran which, originally applicable to the Prophet, is not less so to one of his most earnest, devoted and faithful followers.

"Me also my Allah found an orphan and rescued; me also He found wandering in search of truth, and I believe guided and me also He found in the sorest of a mortal's needs, the needs of the Spirit even more than those of the body and satisfied them in ample measure. The least that I must do for such divine mercies is to deal with orphans with loving kindness, to assist to the best of my ability such as have a question unanswered about my faith and to proclaim the bounty of him that created me and sustains me."

Coming to another, a more mundane, nonetheless a most interesting aspect of the autobiography where Maulana Mohamed Ali deals with the reasons for his repeated internments, the nationalist finds how undeserved was the harshness with which he was treated. Suspicion based on police reports and not ascertained facts were responsible for it, thus seriously interfering with the services this great son of India could have rendered to his community and his country. There cannot be any doubt that his remarks on this matter which will be found scattered throughout the autobiography and which have the stamp of truth impressed on them will find acceptance from Indians of all castes and creeds in preference to the accounts emanating from other and in Indian opinion, less reliable sources.

Then again the account of the journalistic side of his career, the immense labour he undertook, the pecuniary sacrifices he went through and their reasons as given in the autobiography make entrancing reading. Equally interesting is the Maulana's account of the growth and extension of the Khilafat movement in which he and his brother played so large a part and which, for the time being at any rate, brought Hindu and Muslim under one banner.

The reviewer strongly recommends this book to the attention of not only his Mussalman brethren who should feel proud that their community produced such an outstanding and fearless patriot but also to those of his non-Muslim brethren who have any desire to know something of one of India's great leaders and specially to all interested in the growth and development of Indian nationalism.

H. C. MOOKERJEE.

Indian States.—By K. M. Panikkar. Published by the Oxford University Press. Pp. 32.

This is number 4 of the pamphlets on Indian Affairs published by the Oxford University Press. K. M. Panikkar, the author, is one of the most noted of our historical writers and has several books on the States to his credit. From this standpoint he may have been regarded as the obvious man to be entrusted with this pamphlet. But connected as he has been with the administration of one or another of the States for more than a decade, his choice has been unfortunate. The publication of these pamphlets was certainly intended to supply general information to the lay public on the subjects dealt with therein. In order that this information might be useful, it must be impartial and as comprehensive as the limited scope might allow. But no question has been more controversial since the appointment of the Butler Committee fifteen years ago than that of the Indian States. In view of this fact it was essential that none should write this pamphlet, who might be associated with one or another standpoint. A writer who could have presented the

facts in an objective spirit should have alone been called upon to prepare it. But Mr. Panikkar, as it might have been expected, has used the Oxford University Press as a platform for state propaganda. The defects of this pamphlet are the defects of the author's affiliation to one standpoint. While he has expatiated too much upon the treaty rights of the States and upon their gradual violation in the interests of the suzerain power which enunciated the doctrine of paramountcy, he has neglected altogether to point out how under the protection of this paramount power incompetent despotism has remained enthroned in many corners of this country. Apart from few details as to the number and classification of the States and a slight and casual reference to the problems of separating the privy from the public purse and organising judicial and police work on a new basis, the pamphlet does not give us any information on the internal administration of these territories.

Great Britain and China.—By Sir John Pratt. Price 4*d*.

This is number 58 of Oxford Pamphlets on World Affairs. Within the short compass of thirty-two pages, it attempts to give us a rough idea as to the relations between Great Britain and China during the last two hundred and twenty-five years. The first British factory was established in Canton in 1715 and since then the British nation has had continuous relations with the Chinese people. These relations have been chequered and for nearly one hundred years from 1839 they cannot be said to have been very happy either. The Opium War and the subsequent extortion of different concessions from the Imperial Government could not but have introduced iron into the soul of the Chinese people. The Boxer Rising and its aftermath constituted also a severe strain on the relations between Great Britain and the Celestial Empire. The part which Britain played in the years which immediately followed the revolution of 1911 was similarly galling to the rising spirit of democracy and nationalism in China. Bertrand Russell, an Englishman himself, has left it on record that the activities of British agents in China were singularly unfavourable to the triumph of unity and democracy in that country and correspondently helpful to the dictators and separatists.

It is unfortunate that Sir John Pratt has thought it right not to refer to any inconvenient details and has tried his best to gloss over the policy which the British Government followed in China for decades. It would have been more helpful to Anglo-Chinese friendship, if the mistakes which were committed for nearly a century were frankly mentioned and boldly condemned. To the British public these mistakes in policy and details may have been presented always in a whitewashed manner but to the Chinese public they must have always appeared in all their nakedness. In view of this it would have been good propaganda if that policy was condemned without reserve and the recent departure from it was commended and emphasised. In that way the sincerity of the British people as friends of the new China would have been brought home to the Chinese public.

In discussing British policy in regard to invasion of Manchuria by Japan, Sir John Pratt is probably right in disposing of the myth as to American readiness to intervene on behalf of China and as to British unwillingness to follow suit. Stimson, who was then Secretary of State at Washington, may have felt strongly about this invasion and written to London accordingly but that he was counting without the host of American opinion must be admitted. Nobody who has followed American politics

closely during the last twenty years would accept the view that America was eager to fight Japan in 1931 over the Manchurian issue and that British unwillingness alone impeded her steps. The fact is that neither of the two powers was ready for a fight over the fate of a province in which Japan had already made great headway.

An Atlas of the U. S. S. R.—Price 4*d*.

This pamphlet published by the Oxford University Press will be immensely helpful to the public in appreciating the resources of the Soviet Union. The progress that the Union has achieved during the last twenty years is astounding. This progress is illustrated in this booklet by 16 maps. Against every one of these maps there are explanatory notes by Jasper H. Stembridge. The maps and the notes which have been appended make it easy for the readers to understand the political boundaries of the different units of the federation and the economic resources they possess today. In one of the maps are marked the 16 union republics which together constitute the Union. It should be mentioned that before 1940 the number of these constituents was eleven but in that year five more were incorporated in the Union. A second map illustrates the progress of agriculture and the different kinds of products grown in the country. Another map similarly gives us an idea as to the mineral resources. And so on. We may repeat that both the maps and the explanatory notes will be consulted with great profit by those interested in the affairs of the U. S. S. R.

N. C. Roy.

Sri Aurobindo Patha-Mandir Annual (JAYANTI NUMBER).—Published 15th August, 1942, on the occasion of the 70th Birthday of Sri Aurobindo, with a Frontispiece containing the portraits, embellished with facsimile of autographs of Sri Aurobindo and the Mother. Pp. 232. Price Rs. 3-8.

The volume under review, which was designed to commemorate the Seventieth Birthday of Sri Aurobindo, admirably serves the purpose for which it was brought into being, and justifies incidentally the need and importance of an institution like Sri Aurobindo Patha-Mandir. Its *Jayanti* number at least is the proof positive—if proof at all were needed—of the efficiency of the study-circle, as an educational agency, in the matter of propagating Sri Aurobindo's message to the world of to-day and to-morrow.

Tuned to the high-pitched key, in which 'that living Lotus, petal by petal, unfolding' slowly but surely 'transforms a world' with 'the light we lack in *Maya's* nether glooms,' all the tributes of love and adoration garnered in this volume truly vibrate with a 'fadeless rhythm wrung from Dawn's echoing skies.' Most fittingly do the dedicatory verses to the 'Red Lotus' serve as the keynote of the contributions that follow hereinafter to the cadence of that 'still sad music of humanity,' emulating the symphony of the Life Divine, which is for ever charged with 'ample power to chasten and subdue.' Where all draw upon the self-same inspiration it would be ungracious on our part to pick and choose from among them. A few of these breathe the atmosphere of apostolic fervour that seldom fails to engender a contagious conviction in responsive minds, despite their dogmatic enunciation and oracular expression. Justly may these contributors who have their souls attuned to the music of the Life Divine claim that 'God has a few of us whom He whispers in the ear' but 'the rest may reason and welcome.' Even then we cannot afford to forget that the stifling air of dogmatism,

which is inevitable on the heights of the Supermind, gives way to a genial atmosphere at the transfiguring touch of 'the Sun of suns' to whom 'Love is one with Light.' Lest we forget, we should profitably note here that in the spiritual pilgrim's progress a dogma is but an experience in the making, and that one can assent to a dogma without being a dogmatist. Accordingly, the cheap and easy charge of dogmatism in this regard stands self-condemned.

When a more reasonable frame of mind is brought to bear on the situation, one is sure to acknowledge the disciplinary uplift of the soul induced by these inspired writings. Thus one is irresistibly inclined to employ the pragmatic test here and endorse their truth-claim. Leaving these aside, let us proceed to tackle the other type of contributions, which are mainly of a ratiocinative and critical character, and what arrests our attention is the dissertation 'Sri Aurobindo and Mayabad' from the prolific pen of Dr. Mahendranath Sircar. When a scholar-mystic like him confesses to 'a natural reluctance to write anything positive about Sri Aurobindo's discipline' in so far as in him 'there is not the required competence,' even the most intrepid reviewer should think twice before embarking on an uncharted voyage to explore 'magic casements, opening on the foam of perilous seas, in faery lands forlorn.' Anyway 'the instructive comparison between the Tantric discipline and Sri Aurobindo's Yoga' does not fail of its pu pose. An equally instructive and informative study in the same line is 'Sri Aurobindo and the Tantra' by the scholar-musician Kumar Birendrakr shore Raychowdhury who may justly repeat in this regard the historic claim of Abt Vogler: "'t is we musicians know"! A masterpiece in comparative study is Dr. Sisirkumar Maitra's 'Sri Aurobindo and Bergson'—which is more a position than an exposition. Illuminating as a study, at once well-documented and well-balanced, it has admirably developed its position through comparison and contrast, uninfluenced by passions and prejudices. Passages of luminous insight might be quoted to substantiate our remark but the exigencies of space-economy would not allow it. Special mention should be made of the third section of the article which presents a brilliant *resumé* of Sri Aurobindo's 'Theory of Evolution and Conception of the Destiny of Man,' interspersed with crucial extracts from the *Creative Evolution, Space, Time and the Deity* and the *Life Divine*, the clas ics of Evolutionism in Contemporary Philosophy. No less brilliant in the way of lucid exposition is Prof. Haridas Chaudhuri's treatment of 'The Supermind in Sri Aurobindo's Philosophy' which is admittedly 'vital to the understanding of Sri Aurobindo's Philosophy.' The way in which Prof. Chaudhuri expounds, for example, 'the logical necessity' of the Supermind, or, again, the 'three poises' of it—as 'the comprehending consciousness, the apprehending consciousness and the projecting consciousness'—leaves nothing to be desired. It is an exposition that caters as much to the needs of the scholar as to the demands of the lay reader. And surely that is no mean achievement on the part of a scholarly writer of his rank.

Although each of the constituent articles of this co-operative volume could not be specifically mentioned for obvious reasons, it should never be construed to mean that they were unworthy of mention. On the contrary, we re-affirm finally our initial statement and add further that all the contributions exhibit alike a unity of purpose, a profundity of conception, and a lucidity of exposition. In a word, it is a production fully worthy of the ceremonial occasion that has ushered it into existence, and may be unhesitatingly declared to have created a definite landmark in the history of "Sri Aurobindo" scholarship.

SAROJ KUMAR DAS

Ourselves

[I. A Course of Study on Social Work.—II. The Utilisation Branch of the Geological Survey and the University —III. Basanta Gold Medal.—IV. The Vice-Chancellor and the Indian Civil Service Examination]

I. A Course of Study on Social Work

Sometime ago the Vice-Chancellor, Dr. B. C. Roy, inaugurated a course of study on social work. A scheme of work to this end had been formulated by the Appointments and Information Board of this University. With the co-operation of the Indian Jute Mills Association it went into effect last month.

The mills and other industrial establishments in and around Calcutta have in their employment a large body of labourers. To look after their welfare is a problem which many of these establishments have not yet able to solve on satisfactory lines. One of the difficulties they have faced in this regard consists in the lack of properly trained men who can undertake labour welfare work on modern lines. In Bombay this difficulty has been largely got over by the establishment of Sir Dorab Tata Graduate School of Social Work which works with an annual budget of more than sixty thousand rupees.

The scheme inaugurated recently by the Vice-Chancellor provides for the same syllabus of study but is otherwise more modest and different. But though modest, it may be equally, if not more, effective. Theoretical studies include sociology, applied economics, industrial psychology, public health laws and social welfare activities. The practical training is to be provided in the mills. The novel feature of the scheme consists in its being financed by the industrial establishments in whose interest it is being operated. The mills which are members of the Indian Jute Mills Association are utilising the scheme at present. Persons who have already been appointed as probationary labour officers in these establishments either through the Appointments Board of the University or otherwise alone constitute the quota to be given training under the scheme. It is expected that in future years other industrial concerns also will co-operate in the working of the scheme and profit by it in the training of their Welfare Officers.

Mr. D. K. Sanyal who is the Secretary to the Appointments and Information Board of the University is also the Secretary to the Committee which is operating the scheme. The Committee consists of nine members, four being representatives of the University, three of the Indian Jute Mills Association, the Director of the All India Institute of Public Health and the Labour Commissioner of the Government of Bengal.

* * *

The Utilisation Branch of the Geological Survey and the University

This Branch which was constituted recently to develop for war purposes mineral deposits as rapidly as possible sought the co-operation of the University in carrying out its task. The University has informed the Government of India that the Department of Goelogy is willing to co-operate whole—heartedly with the Geological Survey.

* * *

Basanta Gold Medal

The subject selected for the above medal for the year 1942 is the following : Malaria—Its effect on rural health : Means of prevention.

* * *

The Vice-Chancellor and the Indian Civil Service Examination

In view of the fact that the certificates supplied by the candidates for the I.C.S. examination do not in all cases give a full appreciation of their character and abilities and in view of the fact that this drawback places the Interview Board in difficulty, the Federal Public Service Commission enquired whether the Vice-Chancellor would agree to act as a referee for these candidates. The University has informed the Commission that while he will be glad to act in this capacity, he should be authorised to appoint a small Committee to help him in the discharge of this responsibility.

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GANDHIJI'S ENTRANCE INTO POLITICS

H. C. MOOKERJEE, M.A., PH.D., M.L.A.

MAHATMA GANDHI returned to India early in January, 1915, partly because the work which had kept him in South Africa was practically finished and partly because many friends like Gokhale and Sir Pherozshah Mehta had, for a long time, insisted on his presence in our motherland so that they might utilise his services in national work. In South Africa, he had already taken the vow of chastity to which he now added that of poverty for, in coming to India, he was surrendering a lucrative practice which at that time was yielding over £3,000 a year. It is therefore correct to assume that he came to us as an unselfish public servant desirous of taking his place side by side with the lowliest and the poorest and of suffering hardship and poverty with them. These were some of the reasons which made India welcome him as the Mahatma, the Great Soul, of modern India.

Gandhiji attended the Congress of 1915 but he did not take any active part in it. As a matter of fact, when Motilal Nehru and others who knew something of his activities in South Africa urged him to enter politics, he refused to do so saying that he preferred waiting for the call and for the right time. There was also the fact that Gokhale whom Gandhiji regarded as his *raja guru* had made him promise that he would refrain from making any public pronouncement on Indian politics until he had been in our motherland for at least one year. This was because Gokhale regarded some of the views to which he had given expression in his "Hind Swaraj" published in South Africa as extreme and he hoped that contact with and first-hand knowledge of Indian problems would tone

them down. Faithful to the promise he had given, Gandhiji made his home at Ahmedabad where he established his Satyagraha Ashram.

Making this industrial centre his headquarters, Mahatma Gandhi undertook long and laborious tours all over India to acquire intimate knowledge of the actual condition of the people. The reputation he had won in South Africa ensured his welcome everywhere. As now, he travelled third class and championed the cause of third class passengers, urging on the railway authorities their obvious duty of reducing the overcrowding and removing the many disadvantages to which these people were subjected. At the same time, he exhorted his countrymen to practise courtesy in travel and to resist bullying from railway servants and fellow-travellers. In this connection, the attention of the reader may be drawn to the statement made to the press by Mahatma Gandhi on the 25th September, 1917.

It was also at this time that Gandhiji utilised every opportunity that presented itself to point out the wickedness underlying untouchability and told his countrymen that they could not be regarded as fit for Swaraj so long as they tolerated this great evil. It was during this period also that he took the leadership in the Champaran, Kaira and Ahmedabad struggles which have been referred to elsewhere.

Then, as now, Mahatma Gandhi, perfectly indifferent to any enmity or even danger to which he might expose himself, fought injustice without caring by whom it was committed. India noted with admiration that he faced every problem with a remarkable freshness of outlook and an absolutely fearless mind.

Just before Mr. Montagu's visit to India in November, 1917, Mahatma Gandhi was the first to suggest the scheme of a monster petition supporting the Congress-League scheme of reforms and organised with outstanding success the work of securing signatures in his native province of Gujerat. Broadly speaking, up to this time, this was the only occasion on which he took an active part in politics.

At the request of the Rt. Hon. Mr. V. S. Srinivasa Sastri he gave his views on the Montagu-Chelmsford Report immediately after its publication. Dated the 18th July, 1918, it was in the form of a letter addressed to Mr. Sastri. It undoubtedly proves that he considered the proposals as an honest effort to fulfil the pledge given by Mr. Montagu in the House of Commons. He advised his countrymen to regard the proposals sympathetically though at the same time he admitted that they needed further liberalising. It ended with an appeal to support Britain in the war which was still going on.

This letter possesses a special significance proving as it does that,

up to this time, Mahatma Gandhi had not the slightest desire to embarrass the British administration and also that he was more than willing to help it in all possible ways. It may be regarded as the first public utterance of Mahatma Gandhi on Indian politics.

At this time, Gandhiji could not be regarded as an All-India figure. People respected him as one more interested in fighting injustice which affected the masses than in politics as they understand it. This was natural in view of the leadership he had supplied in the Champaran, Kaira and Ahmedabad struggles. They did not realise the extent to which his hold on the masses was gradually extending: He was not, however, considered by the public as a man of outstanding political importance. He was respected inside the Congress as an authority on South African problems on which he drafted resolutions for it. Occasionally, he spoke on South African questions and gave his hearers first-hand information, the value of which was duly appreciated.

On such occasions, the audience, generally miscellaneous in character, invariably responded in such a manner as to suggest that it recognised that his style and technique were different from those of the ordinary run of speakers. It was noted that his way of thinking and of approaching a problem was different, that with all his humility, he had confidence in himself flowing not from conceit but from the consciousness of power, that his influence over his audience was due to the sincerity of his purpose which was readily acknowledged by his hearers and commanded their respect. In his case, laboured oratory was replaced by a natural eloquence, bald and plain, which made every matter so definite and clear that any one could grasp it.

One is inclined to the opinion that, but for the blunder it made in passing the Rowlatt Act against the unanimous opposition of India, Mahatma Gandhi would have continued to co-operate with Government though, at the same time, he would not have hesitated to point out what he considered its mistakes.

Gandhiji's Reaction to the Rowlatt Report

Mahatma Gandhi attended the War Conference at Delhi in April, 1918, after some hesitation but convinced that it was the duty of India to help Government, he supported a resolution to that effect. Not being the man to confine this support to words only, he undertook long and arduous tours in his own province, Gujerat, to induce the masses to join the Labour Corps. His health broke down under the strain and his life was despaired of.

Gandhiji's friends removed him for medical treatment to the Sabarmati Ashram at Ahmedabad. In the mean time, the war had come to an end and with it the need for men. It was while he was making a slow recovery that he read a summary of the Rowlatt Committee Report in the papers. He told Vallabhbhai Patel that India must enter her most vigorous protest against any legislation based on its recommendations. In that connection Mahatma Gandhi observed that the struggle could be carried to a successful issue even by a handful of genuine Satyagrahis and that had it not been for the weak state of his health he alone, if necessary, would have given immediate battle.

Next came a small conference at the Ashram of such people as agreed with the views of Mahatma Gandhi. These were mainly drawn from Bombay which became the headquarters of the movement. Gradually more members signed the Satyagraha pledge and organised opposition outside the legislature began to grow in strength.

In the mean time, Mahatma Gandhi was corresponding with prominent Indian politicians. At the Harijan Ashram, Sabarmati, Ahmedabad, there are copies of letters addressed by him to Pundit Madan Mohan Malaviya, dated the 8th February and to the Rt. Hon. V. S. Srinivasa Sastri, dated the 9th February, 1919. In the second of these he says, "I can no longer render peaceful obedience to a power that is capable of such a piece of devilish legislation; and I invite all to join me." There is also a copy of a wire to the Viceroy, dated the 24th February, 1919, in which he asserted that "the Reforms are valueless without withdrawal of the Bills, which are symptomatic of a deep-seated disease in the ruling classes" and a reply to it inviting him to discuss the matter with the Viceroy for all which information I am indebted to Sree Hemanta G. Nilkantha of the Ashram.

These undoubtedly go to show how deeply Mahatma Gandhi was stirred by the attitude of the British administration and also how eager he was to induce old and tried Indian politicians to take the lead in the agitation against the Rowlatt legislation. It was only when he felt that not one of them was willing to come forward that he did what he considered his duty under the circumstances.

Indian Agitation Against the Rowlatt Legislation

For some time, India was under the impression that the opposition to the recommendations of the Rowlatt Committee would have the effect of making the British administration stay its hands. When it was realised that this was hopeless, political leaders of all shades of opinion

started agitating against it. It is not possible to give information on this matter in any except a very general way.

Madras may be said to have been the first to take the lead. On the 30th January, 1919, there was a very largely attended meeting of the citizens of Madras against the proposed Rowlatt Bills. Cables condemning them were sent to the Prime Minister, the Peace Conference and to Lord Sinha, Under-Secretary of State for India. On the 1st February, 1919, the Hon'ble Sir Dinshaw Wacha wired to the Viceroy earnestly requesting postponement of introduction of the Rowlatt Bills in the Imperial Legislative Council. From 1st February to 4th February, 1919, there were further protest meetings against the proposed Rowlatt legislation in every important town in India. All these reflected influential public opinion in India.

On the 6th February, 1919, Sir William Vincent, the Home Member, introduced the Rowlatt Bill in the Imperial Legislative Council and moved for its reference to a Select Committee. The debates on this resolution were held on that and the following day and the resolution for its postponement moved by Surendranath Banerjee was defeated. An attempt was made by the Moderates to arrive at some sort of compromise with Government. This took the form of a *pourparler* with the Home Member on the 8th February, 1919, which proved unsuccessful. This roused Indian feelings which were given impression to in protest meetings held all over India.

On the 13th February, 1919, the Indian Association, the organisation of the Bengal Moderates, under the presidentship of the Maharajah of Cossimbazar condemned the Rowlatt Report. Two days later, the citizens of Bombay with Mrs. Besant as their president denounced it. The next day 16th February, 1919, saw the opening of the Home Rule Campaign against the Rowlatt Bills. On the 23rd February, 1919, the Bombay Moderates held a protest meeting with Sir D. Petit as their president. On the same day, there was a monster protest meeting at Madras with Mr. T. V. Venkatarama Iyer as the president in which the Rowlatt Bills were condemned in very strong terms.

The information given above proves that Political India as a whole very strongly resented the proposals embodied in the Rowlatt Bill and that the opposition to it came from both Moderates and Extremists. Every one felt that something had to be done to compel the administration to retrace its steps, but no one could suggest what that something should be. It was then that Mahatma Gandhi took the leadership, that was his, by the issue of his celebrated manifesto of the 28th February, 1919.

GANDHIJI'S PRESS MANIFESTO AND ITS RECEPTION

Mahatma Gandhi who was making a slow recovery had through newspapers and correspondence kept himself in touch with Indian sentiments with regard to the proposed Rowlatt legislation. He had noticed that while the agitation against it was on an India-wide scale, those opposing it had contented themselves with merely denouncing the measure. Not one leader had any constructive suggestion to offer. Not one had envisaged the possibility of taking any step to compel the administration to yield to the popular will. At most, the idea was to hold meetings, to pass resolutions, to forward them to the authorities in the hope that they might be persuaded to withdraw it, and finally to submit to its enactment under more or less emphatic protest.

This Gandhiji regarded as unbearable, clear proof of poverty of ideas and utter absence of courage. On the 28th February, 1919, he issued a manifesto through the press in which he asked his countrymen to sign the Satyagraha pledge quoted below and "to observe it as a covenant binding on them." The opening sentence of the manifesto is prophetic stating as it does that "the step taken is probably the most momentous in the history of India."

The Satyagraha pledge reads as follows:

"Being conscientiously of opinion that the Bills known as the Indian Criminal Law (Amendment) Bill No. I of 1919, and the Criminal Law (Emergency Powers) Bill No. II of 1919, are unjust, subversive of the principle of liberty and justice and destructive of the elementary rights of individuals on which the safety of the community as a whole and the State itself is based, we solemnly affirm that in the event of these Bills becoming law and until they are withdrawn, we shall refuse civilly to obey these laws and such other laws as a Committee to be hereafter appointed may think fit and further affirm, that in this struggle we will faithfully follow truth and refrain from violence to life, person or property."

On the 1st March, 1919, the Satyagraha pledge was taken by Home Rulers and the members of the Satyagraha Sabha in Bombay and the latter started its campaign of enlisting Satyagraha members. The next day, the Moderates issued a manifesto deprecating passive resistance but they met with no response as they had no programme to offer to the country at large.

This is proved by the fact that the same day, 2nd March, 1919, there was a meeting at Allahabad with Pundit Matilal Nehru as its president in which Gandhiji's proposal was taken up enthusiastically,

many among the audience signing the pledge then and there. Two days later, on the 4th March, 1919, the Calcutta Nationalists, as distinguished from the Moderates led by Surendranath Banerjee, met and supported Gandhiji and his programme of passive resistance. On the 6th March, 1919, Mahatma Gandhi had an interview with the Viceroy but could not arrive at any settlement. The same day, there was a mass meeting at Amritsar condemning the Rowlatt Bill. On the 8th March, the Home Member presented the report of the Select Committee on the Rowlatt Bill with notes of dissent. On the same date, the C. P. Legislative Council members issued their mandate to the C. P. representatives in the Imperial Legislative Council to withdraw from it in protest. On the 11th March, 1919, the Bombay Council members followed the lead of the C. P. members and issued a mandate to their representatives in the Imperial Legislative Council to enter their protest against the Rowlatt Bill.

Satyagraha as Contemplated in Rowlatt Agitation

Before proceeding further, it is necessary to understand the principles at the back of the movement organised by Mahatma Gandhi against the Rowlatt legislation. Fortunately for us, he has explained it himself in the following terms:—

"The law-breaker breaks the law surreptitiously and tries to avoid the penalty; not so the civil resister. He ever obeys the laws of the State to which he belongs, not out of fear of the sanctions, but because he considers them to be good for the welfare of society. But there come occasions, generally rare, when he considers certain laws to be so unjust as to render obedience to them a dishonour. He then openly and civilly breaks them and quietly suffers the penalty for their breach. And in order to register his protest against the action of the law-giver, it is open to him to withdraw his co-operation from the State by disobeying such other laws whose breach does not involve moral turpitude."

It was never expected that those who actively resisted would consist of any except small numbers for the very obvious reason that adherence to these principles makes very stringent demands. It is also a fact that those who offered themselves as Satyagrahis were accepted only after they had fully understood the gravity and rigour of the rules that would have to be loyally carried out by them and when those entrusted with the task of selecting them were satisfied that the volunteers could be trusted to refrain from all violence and were fully prepared to suffer to the utmost and to invite suffering.

The small band of devoted men and women were called into being as exponents of spiritual resistance to wrong and oppression while the population at large was expected to support these Satyagrahis with their moral sympathy. It was hoped that the spirit of Satyagraha would spread in ever-increasing circles and that Satyagrahis, as time went on, would grow in numbers till the hearts of every one including those of the British officials would be touched and tyranny would be defeated by soul force.

In the mean time, the few who were absolutely prepared and fitted were asked to suffer while the rest were expected to exhibit sympathy for and moral adhesion to the movement. The All-India *hartal*, referred to later on, offered an opportunity to the people at large for showing their sympathy for it and indirectly of bringing them into it by slow and gradual steps. Naturally, the calling off of the movement when Mahatma Gandhi realised the prevalence of violence had the effect of preventing disobedience to the Rowlatt and other legislative measures on a mass scale.

Gandhiji's Tour

Mahatma Gandhi is not one to give advice or to offer suggestions only. Just as after the Delhi War Conference of April, 1918, he had followed up his support of the resolution in favour of India's whole-hearted co-operation with Britain in the war then proceeding by his recruitment campaign in his native province of Gujerat, in this case also he felt it his duty to visit various parts of India in order to mobilise public support for his Satyagraha campaign. At that time, he had not regained his normal health but his keen sense of duty drove him on to undertake arduous work. Where his strength permitted, he addressed monster meetings in which he not only explained the evil consequences implicit in the Rowlatt legislation, the meaning of Satyagraha and how it was to be applied but proclaimed everywhere that in case Government passed the Rowlatt Bill in the teeth of Indian opposition, he would lead a non-violent mass campaign as a measure of protest. Everywhere he was made welcome not only because of the respect he had already won as the champion of the poor and the oppressed, but also because India at last recognised in him the one leader who was prepared to face every kind of suffering in order to secure justice for her children.

The success of his efforts may be gauged by what has been said on this matter in the Government of India publication entitled "India in 1919," which states that Mahatma Gandhi and those who thought like him "succeeded in capturing the bulk of the local opinion in India in the Press and on the Platform."

It is not possible to give any detailed account of the long distances travelled or of the toil undergone by Mahatma Gandhi. Some idea of these may be formed when we remember that after visiting Delhi and Lucknow, he was at Allahabad on the 11th March, at Bombay on the 14th March, and at Madras on the 18th March, 1919. He spoke at the meetings held at Allahabad and Bombay but his health broke down by the time he arrived at Madras where a huge mass meeting had been organised with Mr. Kasturiranga Aiyangar as its president to welcome him and to support his Satyagraha movement. After a brief speech, the president asked Gandhiji to speak a few words which he did in a low voice as he was suffering from weakness of the heart. Shree Mahadev Desai read out his speech which appears in his "Speeches and Writings." Here many Satyagrahis were enrolled. Be it remembered that this was the date on which the Rowlatt Act was forced through the Imperial Legislative Council.

Utter prostration compelled Gandhiji to prolong his stay at Madras which received news of the passing of the Rowlatt Act in due course. The public arranged a second monster meeting at the beach on the 20th March. The purpose of this meeting was to thank Gandhiji for the trouble he had taken to visit Madras in order to strengthen the Satyagraha movement and to make an appeal to the Viceroy to withhold his assent to the Rowlatt Act. Owing to his unavoidable absence, Mr. C. Vijiaraghava Chariar took the chair and Shree Mahadev Desai read a message from Mahatma Gandhi. The following resolution was put from the chair and passed unanimously:—

"In view of the unanimous opposition of India to the Rowlatt Bill and the fact that not a single Indian non-official member voted with the Government for the passing of the Bill, this public meeting appeals to His Excellency the Viceroy to withhold his assent to the Act, or in the alternative, to reserve the Act for the signification of His Majesty's pleasure under Section 68 of the Government of India Act."

Detained in Madras on account of ill-health and convinced that the appeal to the Viceroy to refuse his assent to the Rowlatt Bill would have no effect, Mahatma Gandhi issued on the 23rd March, 1919, his appeal to his countrymen to observe the second Sunday after the publication of the Viceroy's assent to the Rowlatt Bill as a day of national humiliation and prayer. We shall see later on the results of this appeal.

March 23rd to 30th was observed as Satyagraha week all over India. Meetings were organised and arrangements made for the *hartal* of the 6th April. As soon as he felt better, Mahatma Gandhi left Madras and visited Tanjore, Trichinopoly, Madura, Tuticorin and Negapatam where he

addressed monster meetings in which he exhorted his hearers to do their duty as patriotic Indians.

On the 30th March, 1919, a monster meeting under the auspices of the Madras Satyagraha Sabha was held at the Triplicane beach to explain Mahatma Gandhi's plan for the observance of Satyagraha day on the 6th April. Gandhiji was absent as he had to take the train for Bezwada but he sent a message which was read out by Mr. S. Satyamurti. After explaining the meaning of Satyagraha and the wide response it was having in every part of India, Mahatma Gandhi met the Moderate criticism that the launching of passive resistance was inopportune at a time when the country should prepare itself for the Montagu-Chelmsford Reforms in the following terms:—

"I have been told that I am diverting the attention of the country from the one and only thing that matters, *viz.*, the forthcoming Reforms. In my opinion the Rowlatt legislation, in spite of the amendments which, as the Select Committee very properly says, do not affect its principles, blocks the way to progress, and therefore to the attainment of substantial reforms. To my mind, the first thing needful is to claim a frank and full recognition of the principle that public opinion properly expressed shall be respected by the Government. I am no believer in the doctrine that the same power can at the same time trust and distrust, grant liberty and repress it. I have a right to interpret the coming reforms by the light that the Rowlatt legislation throws upon them; and I make bold to promise that if we do not gather sufficient force to remove from our path this great obstacle in the shape of the Rowlatt legislation, we shall find the Reforms to be a whited sepulchre."

It is worth noticing that the India-wide agitation against the Rowlatt legislation was carried on not only at the Bill stage but also that it grew in intensity after it has been passed by the Imperial Legislative Council. This is proved by what appears on page 32 of "India in 1919" where it is said that commencing from March, 1919, when it was realised that Government was determined to pass the Rowlatt Bill, the press of India "was filled with reports of meetings protesting against the Act and was inundated by articles and letters demonstrating the duty of opposing the continuation of such an iniquitous enactment for a single minute upon the Statute Book of India."

While some among those who opposed it were asking for the intervention of the Viceroy, the Secretary of State for India and even the King-Emperor by refusing their assent to it, the more courageous among its opposers were giving notice of their determination to fight it by passive resistance. This should have convinced those responsible for the Rowlatt.

Act that it was most unwelcome to all. But somehow, they failed to realise the depths to which Indian feelings had been stirred. They persisted in the course they had marked out for themselves with consequences which are referred to below. The unwisdom of this policy and its uselessness were acknowledged in "India in 1920" on page 28 of which we read, "In the light of what has happened subsequently, it is almost pathetic to think that the Bill has never been put into operation."

THE RIDDLE OF RELIGION

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LIFE in this planet is full of riddles but that of religion is inescapably connected with that of the Universe and its inscrutability to man. For though science has busied itself in probing its mystery it has reached a conclusion which leaves its origin, course and destiny still unexplored. After years of patient research it has discovered its composition and course, and reduced to mathematical certainty its elements and their conglomerata, forms and functions, reducing them all to the one primordial element of radium ; but what is radium it is unable to discern beyond equating it with energy which permeates the Universe and which in its turn is dissolving it into nothingness. Has then the Universe arisen out of nothing as it is demonstrably being reduced to Nothingness ?

In a recently published monograph on the " Science's Survey of the Universe," I have given details of the conclusions here recorded, and these conclusions are not speculative or conjectural but such as conform to its logic of analytical synthesis and laboratory tests. It has resulted in the forlorn hope of reaching any solution conditioned by our limited consciousness and its sensual infirmities. That goal of *non possumus* reached by science has not satisfied the human craving for further knowledge, and it is here that the charlatan and the cheat walks with his inspiration and revelation just as the quack walks in to effect the cure that the plodding physician has given up as beyond his capacity. This *terra incognita* whether in the domain of disease or the Cosmos may at a given moment be coincident, still there is a mighty difference between the one and the other, since diseases at one time proved to be incurable have since become easily curable by means since discovered, but will such or similar means now lacking result in the solution of the Cosmic gaps which lie at present beyond the range of human imagination and device. That vacuum in our mind or the space we wish to fill up but can't offer an inlet for religion, though as I shall presently shew, it is no solution indeed, and no approach to any solution of the real difficulty by which we are confronted, though it affords some consolation and relief to the generality of men who find their wants and wishes at the same time satisfied. The genesis of all religion may then be said to rest upon this human infirmity, since it postulates existence of a supreme Creator whom it places behind the Universe. But that it is no more than a postulate would be clear to

any one who pauses to consider what justification is there for its assumption and what are the credentials of those who asseverate its existence. Science cannot admit its possibility much less its existence, because science treats all facts as proved only if they are capable of proof by the only method it recognises as legitimate ; otherwise there would be an end to true human knowledge and confuse ascertained and ascertainable facts with superstition and make-believe, by lowering the dignity of its reason to credulity and confusion engendered by promiscuous assertions and conjectures not even supported by the lowest form of scientific sanction, since Logic assigns all truths to three degrees of certitude namely that which is capable of proof by observation and experiment, that which, though not so demonstrable, is yet extremely reasonable and probable and that which is neither. The postulate of a first cause is a mere gratuitous postulate easy to make but difficult to define or demonstrate. Its inference from the facts of Cosmic life is not only not possible but categorically negatived by the proved facts abounding in Nature. For example, when it is predicated that Nature must have a creator because it is orderly and not fortuitous which science has proved it to be ; finding every movement in Nature sporadic, erratic and anarchic following the very reverse of an order or design. As since this is the main premise in the theologian's argument a short reference to it should not be out of place. Take in the first place life upon our own planet.—It is a constant struggle against mutual destruction, while the objects of nature such as the rivers might be compared with the canals which are humanly designed and mountains that the rains and the earthquakes are demolishing filling the sea which follows its own erratic course appearing and disappearing according to the eruption of the hidden heat imprisoned in the bowels of the earth, which astronomy has proved to be an accidental ejection from the sun.

The old rhyme

> Great fleas have little fleas upon their backs to bite 'em
> And little fleas have lesser fleas, and so on *ad infinitum*.[1]

is literally true of all things in the cosmic creation. Such being the case, there is no warrant for inferential deduction nor is there any proof that God even if he did create the Universe, does now control or guide it, since science proves the contrary.—And above all we have the conclusive fact that if the Almighty God does exist, why does he not announce his presence to his creatures whom he desires to obey and follow his rule or that of his apostles of whom there must be thousand importers at any time and in

[1] De Morgan, A Budget of Paradoxes, p. 377.

any age. The theologians liken God to the Super King of man, but if so, is he not under the plain necessity, if not duty, to warn his people against imposters whom he should destroy and disable. That is his primary duty. Why does He not do it? Why does He permit the world to thrive with self-styled messiahs, apostles and prophets who invent their credentials to which the only witnesses are their own desciples.—It is like the criminal calling in aid his own accomplices. They hope to hoodwink mankind by their clever propaganda. They know that man is groping for light in a dark room and in his anxiety to escape from it he would clutch at any object that gives him a momentary support. As the education of man proceeds and his mind is clarified he becomes more circumspect. He discards the good offices of the wizard and the witch doctor. The religio-revisionists are busy reshaping and readjusting their scriptures to the altered circumstances of the time; with the result that many religions have lost their identity but only continue to retain their old name to vest the new-fangled devices with the halo of its old sanctity. The research scholar knows it, but the common man takes the old shibboleths as if they were all untouched by the hand of the clerical charlatan. Some of these revisions are spontaneous and intangible, they are slow and made to creep invisibly into the corpus of the old creed ; while others are bold and outspoken and publicly discard some of the tenets of the old creed the result being the emergence of a new creed in place of the old which it replaces and displaces without creating a cataclysm of popular discontent and disorder. But the process continues. Take one example. Hinduism is today as different from the Vedic cult as chalk is from cheese. The old Vedic gods have all disappeared and so have the priests who chanted their *Mantras* before the sacrificial fire. Buddhism made a clean sweep of these multitudinous gods and godlings with their attendant ceremonials and for over a thousand years it ruled the country by the light of Reason. But reason was too drab and prosaic a monitor and the common man wanted something more gorgeous and spectacular provided him by the neo-Hinduism with its new gods and new mode of salvation.

Another creed has undergone a similar change by the favourite device of interpretation and verbal readjustment, with the result that old primitive faiths have been reincarnated by the sweeping march of time.

But the fundamental fact remains. Man's love of self is an instinct which he has in common with all sentient life. His self-consciousness has created in him the root of immortality, at one time provided for by preserving the body which was to have been revived on the Judgment Day. But as this did not occur, the priests had to change their promise of resurrection by attaching it to a *tertium quid* called soul which inhabited

the body and returned to it upon its resurrection. This soul was at one time treated as a material particle residing in the body, next to the heart and later transferred to some part of the brain till it ceased to be material and became a spiritual force, a part of the divine essence rejoining it upon salvation.

This view consorted with the special creation of man as God's special handiwork, but it became irreconcilable with Darwin's description of the species. It marks a new epoch in religious controversy, further weakened by the state scheme of free education and the negation of divine benevolence in the tightening hold of economic issues, while the two world were in a single generation have practically dissolved the loosening hold of religion, as witness the empty pews of which the clergy complain and against which several schemes are suggested for the unification of the sects and the exploration of other approaches to religion.

That for years to come man would need a religion as a solace and comfort to life admits of no doubt. But the multiplication of religions is their best refutation, and so is this fact coupled with its irreconcilation with homicidal conflicts for base and sordid ends.

The decay of institutional religions has thus been brought about not only because of the growth of mass education as also because of the ineffectiveness of its dogma in spiritual man and raising him above the sorry cult of self and the persuit of individual pleasure regardless of its effect upon our fellowmen.

For over two thousand years two great religions of the world, Buddhism and Christianity have striven to raise man from savagery to the spiritual standard of selflessness and social service free from the taint of reward and punishment and with the attainment of a mental beatitude which Gautam Buddha aptly described as *Nirvana* and for which half the world of his time toiled and laboured. Buddhism was to Christianity what Christianity was to Islam and these three great religions, though arising from the same spring, have since parted company, and in their proselytizing zeal followed a course that has not been wholly conducive to the growth of a higher culture or the nobler vision of a sinless life. The elimination of sects and strife might go a step further in the elimination of religious conflicts by purging from all religions the elements of selfishness and raise them to a plane of common service to mankind.

It may be that in course of time such an effort might facilitate the growth of a world religion and so reduce the confusion and conflict to which man is at the present moment subject. If some men of knowledge and influence take up this question, they would not only solve the riddle of religion, but would be doing unique service in the interest of humanity.

DHARMAVIJAYA AND DHAMMAVIJAYA

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I

IN a celebrated chapter of the *Mahābhārata* (XII, 58) in which Bhīṣma reveals to Yudhiṣṭhira the contents of a complete treatise on Daṇḍanīti, we read:

> Vijayo Dharmayuktaśca tathārthavijayaśca ha |
> āsuraścaiva vijayah kārtsnyena parivarṇitah ||

Here are three types of *vijaya* (conquest), dharma, artha and āsura, just named as heads of topics dealt with in the great work on polity created by Brahmā for the protection of the world. The *Arthaśāstra* of Kauṭilya contains a brief description of the nature of these three types:

> trayo' bhiyoktāro dharmāsuralobha-vijayina iti |
> teṣām-abhyavapattyā dharma-vijayī tuṣyati |
> tam abhyavapadyeta | pareṣām-api bhayād ||*
> bhumi-dravya-haraṇena lobha-vijayī tuṣyati |
> tam arthenābhyavapadyeta |
> bhumi-dravya-putra-dāra-prāṇa-haraṇenā' sura-vijayī |
> tam bhumi-dravyābhyām upagṛhyā-'grāhyah pratikurvīta ||
>
> XII, 1, 11-16 (Ed. Jolly),

i.e., Invaders comprise three types of conquerors-(actuated by) *dharma*, *āsura* and *lobha*. Of these, the *dharmic* conqueror is pleased by surrender; to him one may surrender oneself; (and seek his protection) even against fear from (other) enemies. The *lobha-vijayī* (covetous conqueror) is satisfied with seizure of land and wealth; to him one may surrender oneself with the offer of wealth. The *āsuric* conqueror (is satisfied only) with taking away the land, wealth, son, wife and life (of his opponent); him one should counteract by offers of land and wealth, taking care to remain out of his reach.

Except that the author of the *Arthaśāstra* characterises the conqueror (*vijayī*) instead of the conquest (*vijaya*), and that the term *lobha* takes

* The place of this sentence is rightly determined in Ganapati Śastri's edition; it is part of the description of *dharmavijayī*.

the place of *artha*, it is clear that the two passages have the same set of facts in view.

All treatises on polity written in ancient India exhort the King to be a *vijigīṣu*, one ever intent on fresh conquests on the principle that it is better to be hammer than anvil. Aggression with a view to hegemony among neighbouring states was thus recognised as the prime duty of kings, and the practical effects of this recognition in terms of human misery were sought to be mitigated by the classification of the types of aggression and aggressors. The best of them is the *dharmavijayī* who undertakes conquests because he must, is satisfied with the opponent offering submission and recognition of his suzerainty, and then, is prepared to lay himself out for the defence of his friendly vassal against all other aggressors. The ruler of a small state is expressly advised to offer submission readily and make friends with this type. Sagara and Raghu are mythical instances of this type. Of the first we read in the *Harivaṁśa*: I, 14, 21.

Sa dharmavijayī rājā vijityemāṃ vasundharām,

i.e., he conquered the whole world on the principle of *dharmavijaya*. This principle is explicitly stated by Kālidāsa when he says of Raghu:

gṛhīta-pratimuktasya sa dharma-vijayī nṛpaḥ |
śrīyam mahendra-nāthasya jahāra na tu medinīm ||

Raghuvaṁśa, IV. 43.

'Raghu, who was a *dharma-vijayī*, took the Lord of Mahendra (mountain) captive and released him, depriving him thus only of his splendour (status of independence) but not of his land.' And Mallinātha's gloss on the term *dharma-vijayī* is *dharmārtham vijayaśīlaḥ*, *i.e.*, one who undertakes conquests because he thus fulfils his *dharma* as king.

The idea of *dharma-vijayī*, it must be noted, stands in close relation to the ideal of *cakravarti*, world-ruler. In its practical application to the real world of ancient Indian states, it means the recognition of a *primus inter pares* among the rulers of the land, a sort of leader to whom all others would look for guidance in difficulties, and to whose arbitration, perhaps matters in dispute among states and rulers might be referred. The best ruler in each generation would, by virtue of his personal qualities, come to be recognised as a sort of 'Bretwalda' whose position was proclaimed on occasions by an *aśvamedha*.

The second type of conqueror embarks on a career of conquest for the sake of material gain, land and wealth, *artha*, a neutral term for which Kauṭilya substitutes *lobha*, greed, thus clearly expressing his

disapproval of this type. Him a weaker ruler can only buy off, and is advised to do so. The last type is the worst and is condemned by all as *āsura*, demonic. He would not b appeased by anything short of the total destruction of his foe and his kingdom ; he would ravage the lands, harry the people, and capture the person and family of his foe, put him to the sword and seize everything belonging to him. Against this type the weak ruler has no remedy in fact ; and the books advise him to dodge the invader by sending offers of land and wealth from a distance, taking care not to fall into his hands—a thing more easily said than done. Most of the wars of history fall under the second or third of these categories of Hindu political theory.

II

In the Buddhist canonical literature in Pāli, we come across a conception of *Dhamma-vijaya* which is closely connected with the ideal of *cakkavatti* and is found stated in a developed form in the *cakkavatti-sīhanāda-sūttānta* of the *Dīgha-nikāya*. Here the World-Emperor establishes his sway over the entire world without the use of arms or of force of any kind, but by *dhamma*. The operative sentence may well be reproduced in the original: "So imaṁ paṭhaviṁ sāgara-pariyantaṁ adaṇḍena asatthena dhammena abhivijiya ajjhāvasi," *i.e.* "He lived in supremacy over this earth to its ocean bounds, having conquered it, not by the scourge, not by the sword, but by righteousness."[1] What is this *dhamma-vijaya*, and how is it effected? In the same Sūttānta, the *cakkavatti's* son receives instruction in this matter from his father who has retired from worldly life in his old age. The point of the instruction is that the position of *cakkavatti* and his symbol of the celestial wheel are not part of the paternal heritage of any monarch: "Na hi te tāta dibbaṁ cakka-ratanaṁ pettikaṁ dāyajjaṁ." But if a monarch carries out the Ariyan duty of a *cakkavatti*, he can win it for himself. And the father explains the Ariyan duty of the *cakkavatti* in the following passage[2]:

"Tena hi tvaṁ tāta dhammaṁ yeva nissāya dhammaṁ sakkaronto dhammaṁ garukaronto dhammaṁ mānento dhammaṁ pūjento dhammaṁ apacāyamāno, dhammaddhajo dhammaketu dhammādhipateyyo dhammikaṁ rakkhāvaraṇa-guttiṁ saṁvidahassu anto-jaṇasmiṁ bala-kāyasmiṁ khattiyesu anuyuttesu brāhmaṇa-gahapatikesu negama-jānapadesu Samaṇa-Brahmaṇesu miga-pakkhisu. Mā ca te tāta vijite adhamma-kāro

[1] The translations are Rhys Davids's.
[2] *Dīgha Nikāya*, p. 61.

pavattittha. Ye ca te tāta vijite adhanā assu, tesañ ca dhanaṃ anuppadajjeyyāsi. Ye ca te tāta vijite Samaṇa Brāhmaṇā mada-ppamādā paṭiviratā khantisoracce niviṭṭhā ekam attānaṃ damenti, ekaṃ attānaṃ samenti, ekam attānam parinibbāpenti, te kālena kālaṃ upasaṃkamitvā paripuccheyyāsi—"Kiṃ bhante kusalaṃ, kiṃ akusalaṃ, kiṃ sāvajjam kiṃ anavajjaṃ, kiṃ sevitabhaṃ kiṃ na sevitabhaṃ, kiṃ me kayiramānaṃ digharattaṃ ahitāya dukkhāya assa, kiṃ vā pana me kayiramānaṃ digha-rattaṃ hitāya sukhāya assāti?" Tesaṃ sutvā yaṃ akusalaṃ taṃ abhinivajjeyyāsi, yaṃ kusalaṃ taṃ samādāya vatteyyāsi. Idaṃ kho tāta taṃ ariyaṃ cakkavattivattan ti.

"This,[1] dear son, that thou, leaning on the Norm (the Law of truth and righteousness), honouring, respecting and revering it, doing homage to it, hallowing it, being thyself a Norm-banner, a Norm-signal, having the Norm as thy master, shouldst provide the right watch, ward, and protection for thine own folk, for the army, for the nobles, for vassals, for Brahmins, and house holders, for town and country dwellers, for the religious world, and for beasts and birds. Throughout thy kingdom let no wrong doing prevail. And whosoever in thy kingdom is poor, to him let wealth be given.

"And when, dear son, in thy kingdom men of religious life, renouncing the carelessness arising from the intoxication of the senses, and devoted to forbearance and sympathy, each mastering self, each calming self, each perfecting self, shall come to thee from time to time, and question thee concerning what is good and what is bad, what is criminal and what is not, what is to be done and what left undone, what line of action will in the long run work for weal or for woe, thou shouldst hear what they have to say, and thou shouldst deter them from evil, and bid them take up what is good. This, dear son, is the Ariyan duty of a sovran of the world."

The son carried out these instructions scrupulously until the wheel revealed itself to him 'with its thousand spokes, its tyre, its navel, and all its parts complete',—'sahassāraṃ sanemikaṃ sanābhikaṃ sabbākāra-paripūraṃ.' Then he sets out for the conquest of the world under the aegis of the wheel, addressing it saying: 'Roll on, go forth and conquer.' The wheel first rolled towards the east and the king went after it with his four-fold army, and fixed his camp where the wheel came to a stop. Then all the rival kings in that region came to the sovran king and said: 'Ehi kho Mahārāja svāgatam Mahārāja sakan te Mahārāja, anusāsa Mahārājāti,'—'Come, O

[1] *Dialogues of the Buddha*, pp. 62-63.

mighty king ! Welcome, O mighty king ! All is thine, O mighty King! Teach us, O mighty king.' The king's answer is a short sermon on Dhamma: ' Pāṇo na hantabbo. Adinnaṃ nādātabbaṃ, Kāmesu micchā na caritabbā, Musā no bhāsitabbā. Majjam na pātabbam Yathā-bhuttān ca bhunjatāti '—*i.e.*, ' Ye shall slay no living thing. Ye shall not take that which has not been given. Ye shall not act wrongly touching bodily desires. Ye shall speak no lie. Ye shall drink no maddening drink. Enjoy your possessions as you have been wont to do.' Similarly, all other regions of the world are conquered and finally the wheel returns to the capital and remains stationary before the Hall of Justice for the rest of the *cakkavatti's* reign.

In this conquest by *Dhamma*, the stress falls on the justice and virtue of the king who builds up for himself by long practice of *Dhamma* a high moral superiority symbolized by the presence of the wheel; and this superiority secures for him the voluntary obedience of all rival kings on the face of the earth. The army is indeed present with the king; but it is simply an ornamental adjunct, there being no fighting or any employment of force. But the conquest and empire are real, though the imperialism is mild and benevolent in its nature.

III

In his celebrated Rock-Edict XIII Asoka declares: 'And this conquest is considered the principal one by devānāmpriya, *viz.*, the conquest by morality (Dhamma-vijaya).[1] The rest of the edict is a clear and forcible commentary on this declaration. Let us consider this in some detail, for it is the one authentic instance of the practical adoption of the concept of Dhammavijaya known to history.

The edict opens with a reference to the conquest of Kalinga effected by the king when he had been anointed eight years. It then briefly recounts the suffering of the combatants: ' One hundred and fifty thousand in number were the men who were deported thence, one hundred thousand in number were these who were slain there, and many times as many those who died.' Then we are told that after the conquest the king devoted himself to the study and propagation of Dhamma as a repentance (*anuśocana*) for the conquest. 'For' continues the edict, ' this is considered very painful and deplorable by Devānāmpriya that while one is conquering an unconquered country, slaughter, death, and deportation of people are taking place there.' After thus recalling once again the sufferings of the combatants, Aśoka mentions the troubles of the civilian

[1] I follow Hultzsch's translation.

population of the conquered country: 'But the following is considered even more deplorable than this by Devānāmpriya. 'To the Brāhmaṇas or Śramaṇas, or other sects or householders, who are living there, and among whom the following are practised: obedience to superiors, obedience to mother and father, obedience to elders, proper courtesy to friends, acquaintances, companions, and relatives, to slaves and servants, and firm devotion—to these then happen injury or slaughter or deportation of their beloved ones? After some further statements in the same sense, Aśoka states that after he began the study and propagation of Dhamma, he would consider very deplorable even the hundredth or the thousandth part of the misery and suffering that the conquest of Kaliṅga meant. And a little further on he gives out his conviction that in his opinion *dhamma-vijaya* is the 'chiefest conquest' of all, and proceeds to record his achievements in this direction both at home and abroad 'even as far as where the Yona king Antiochus rules, and four other kings beyond him.' He says he effected this *dhamma-vijaya* by the despatch of *dūtas* charged with the duty of propagating the *dhaṁma*, and that this conquest effected everywhere (*savatra vijayo*) by this means has brought him great satisfaction (*pitī*). Lastly he wants his sons and their successors to abandon all thought of fresh conquests, to take pleasure in mercy and light punishments even if they are unable to keep out of new conquests, and to regard *dhaṁma-vijaya* as the only true conquest as it brings good in this world and the other.

In the fourth Rock-Edict there occurs a passage which, according to Prof. D. R. Bhandarkar's interpretation[1] may be taken to mention one of the methods adopted in the propagation of *dhaṁma*. The text is admittedly difficult, and scholars differ on its import. But like Hultzsch I am of opinion that the best explanation offered so far is that of D. R. Bhandarkar. The Text is:

> ta aja devāmāmpriyasa priyadasino rāño *dhaṁma*-
> caraṇena bherī-ghoso aho dhamma-ghoso vimāna-dassa-
> ṇā ca hastidasaṇā ca agi-khandhāni ca añāni ca
> divyāni rūpāni dasayitpā jānam.

'But now, in consequence of the practice of *dhaṁma* on the part of king Dēvānāmpriya Priyadarśin, the sound of drums has become the sound of *dhaṁma*, showing the people representations of aerial chariots, representations of elephants, masses of fire, and other divine figures.'

'The sound of a drum,' says D. R. Bhandarkar, 'invariably precedes either a battle, a public announcement, or the exhibition of a scene to

[1] I. A., Vol. 42 (1913), p. 25.

the people. But since Aśoka entered on his career of righteousness, it has ceased to be a summons to fight, but invites people to come and witness certain spectacles ; and as those spectacles are of such a character as to generate and develop righteousness, the drum has thus become the proclaimer of righteousness,' (*dhaṁma*). Whether the *dūtas* of Aśoka employed these shows in the foreign lands to which they carried the message of *dhaṁma* we cannot say.

It has been rightly pointed out by Hultzsch that this passage should be read along with the opening sentence of R. E. X in which Aśoka declares that he sets no store by glory or fame except in so far as it enables him to induce men in the present and future to listen to *dhaṁma* and to conform to its precepts.

One campaign, then, was enough to sting the humane Aśoka into the deepest remorse and divert the whole trend of his career. He saw in a flash the horror and the futility of imperialism, and what is more, he bent all his energy for the rest of his life towards the realisation of his vision of the true conquest, the *dhaṁma-vijaya*, the nature of which he has set forth in such ringing terms in his edicts—*dhaṁmalipis* as he calls them.

IV

We have thus described with the aid of the most important texts available, three concepts bearing more or less the same name and yet differing perceptibly from one another in their contents and perhaps also in their origin and affiliations. First we noticed the Hindu political concept of the *dhaṁma-vijayī*, mentioned in the Mahābhārata, more fully defined by Kauṭilya, and accepted by Kālidāsa. Then we turned to the mythical conception of the *cakkavatti* developed in Buddhist canonical literature, the world-ruler who effects the conquest of the earth under the aegis of the *dhaṁma-cakka* which makes its appearance in the sky to signify the presence of the eminent ruler who by his long and unfailing practice of the *dhaṁma* has qualified for mastery over the whole world ; the *cakka* helps him thus to attain his due place in the world order without war and the evils attendant on it. Lastly, we have the authentic voice of Aśoka speaking to us directly across the centuries and explaining his own conception of *dhaṁma-vijaya*, the only true conquest as he found by experience, and the manner in which he was led to it.

The similarity in name and the differences in content in the three contexts in which we find *dharma-vijaya* will not be a surprise for any one who takes a correct view of the relations in which Buddhist thought stands to Hinduism, and Aśoka to both. But very often Buddhism is treated as something altogether extraneous to Hinduism and opposed to

it in every respect, and from this standpoint it has sometimes been made a subject of controversy whether Aśoka himself was Buddhist or Hindu or even a Jain. We must try and avoid assumptions of one-sided nature in discussing the inter-relations of these conceptions.

The discussion would be easy if there was possibility of agreement about chronology; but unfortunately the age of all of our texts except those from the Aśoka inscriptions is uncertain; even some of those who accept the *Arthaśāstra* as reflecting the conditions of the Mauryan epoch doubt if the present text can be accepted as an authentic production of the age of Chandragupta Maurya; to no part of the *Mahābhārata*, least of all to the *anuśāsana parva* can a definite date be assigned with confidence; lastly no one can ever decide whether the Pāli canon as we have it dates from before or after Aśoka's reign. Our discussion must proceed then without the help that a settled chronology may be expected to bring to it.

It has been said that Kauṭilya anticipates Asoka on *Dharma-vijaya*; it has been both admitted and denied that Asoka uses the expression in a different meaning from that of Kauṭilya.[1] Such statements assume of course a pre-Aśokan age for Kauṭilya. But whatever the relative ages of our texts, the classification of conquests and conquerors in Hindu political theory is logically complete, and has the ring of antiquity, and we may take it that the expression *dharma-vijaya* was first coined in contrast to *lobha-* or *artha-* and *asura-vijaya*. In fact the term *artha-vijaya* used in the Mahābhārata suggests that the original classification was into three categories according as *dharma*, *artha* or *kāma* was the motive underlying the conquest, and that, in course of time, it happened that while the first member retained its original name, the others were changed into terms carrying progressively increasing disapproval as you descended the scale. But once a term comes into existence, usage often begins to put it to other uses in other contexts. The relation in which the Buddha *Dhamma* stands to Hindu *Dharma* in their several uses is typical of much else including the pair *dharma-vijaya* and *dhamma-vijaya*. And there is a wide departure from the original meaning of *dharma-vijaya* to the *adaṇḍena asatthena dhammena vijitya* of the *Dīgha-nikāya*. The first is, as Mallinātha puts it, conquest for the sake of fulfilling one's *dharma* (duty) and involves the use of force to the extent necessary to extort the enemy's submission; the other eschews the use of force altogether and is conquest effected by means of the superior moral power of the *chakkavatti* signified by the manifestation of the *dhamma-cakka* in his presence. But there is this in common between *dharma-vijaya*

[1] R. K. Mookerji, *Asoka*, pp. 165-66, f.n. 6; V. R. R. Dikshitar, *Mauryan Polity*, pp. 128-29.

and *dhaṁma-vijaya*, that both result in the establishment of an empire over which the emperor rules as overlord. The result in either case is conquest and empire ; only in the one case it is brought about by force, in the other by morality.

Aśoka's concept of *dhaṁma-vijaya* brings him very close to a modern pacifist. It is born out of an abiding hatred of war and its horrors; it deprecates the use of force and the pursuit of fame and glory. Aśoka abjures fresh conquests not only for himself but records his wish that his descendants should follow him in this regard. In his use of *dhaṁma-vijaya* the stress is all on *dhaṁma*, and the *vijaya* becomes a metaphor and ceases to be a reality. But like all idealists, Aśoka had to meet the facts of life half-way. He exhorts his successors to follow him in the path of *dhaṁma-vijaya*, of winning people to the learning and practice of *dhaṁma* ; but he is not sure that they will accept this advice and adopt this course in its entirety ; hence he adds a rider that if, still, in the face of his exhortation, conquest should yet have its attractions for them, they should be gentle and merciful in the pursuit of their plans and never loose sight of the ideal of the true conquest which is *dhaṁma-vijaya*. Again the practical question of the need for and the limits to the use of force in ensuring that regard for law and order without which social life would be impossible,—this question is not shirked by Aśoka. He says that he will tolerate even wrong-doing within limits and forgive whatever can be forgiven ; even the forest tribes within the borders of his empire are constant subjects of his attention and care ; they are to be instructed and brought over to the path of *dhaṁma* so that they will not do things which would compel Aśoka to exercise his power of punishment ; for that would cause him pain and remorse though he would not, on that account, shrink from the performance of his duty as king. On this important matter it is worth while reproducing the very words of Aśoka :

Yo pi ca apakareyati kṣamayitaviyā—mate va Devanaṁpriyasa yaṁ śako kṣamanaye. Ya pi ca aṭavi Devanaṁpriyasa vijite bhoti ta pi anuneti anunijapeti. Anutape pi ca prabhave Devanaṁpriyasa vucati tesa kiti avatrapeyu na ca haṁneyasu. Ichati he Devanaṁpriyo savra-bhutaṇa aksati saṁyamaṁ samacariyaṁ rabhasiye.

(XIII L—O, Shahbazgarhi—Hultzsch).

These reservations made by Aśoka show that he was no visionary dreamer who had lost touch with realities, but a practical statesman who had a shrewd knowledge of human nature and was not prepared to risk the possible improvements in society and administration in the uncompromising pursuit of impossible ideals. It is wrong therefore to cite these passages, as has been done on some occasions, as evidence that

Aśoka did not abandon the policy of conquest by arms and that he was not opposed to the use of force, that, in short, his *Dhamma-vijaya* did not differ substantially from the *dharma vijaya* of Kauṭilya. To my mind there seems to be not the slightest reason to doubt that after pondering deeply over the incidents of the Kalinga war, Aśoka did turn pacifist in politics; being no dreamer, but a hard-headed statesman bent on realising the maximum good possible in the conditions prevailing about him, he did the best he could for leaving the world a better place than he found it and left no room for any doubt regarding his intentions for the future policy of his successors.

While some deny that Aśoka was a pacifist, it is the fashion with others to hold Aśoka responsible for the downfall of the Mauryan empire which they directly attribute to the pacifist policy of Aśoka. Jayaswal says[1]: "The accident of the presence on the throne, at a particular juncture in history, of a man who was designed by nature to fill the chair of an abbot, put back events not by centuries but by millenniums." And he has been closely followed by Dr. Hemchandra Raychaudhuri.[2] From the references given by both these writers I am led to think that support for this line of criticism is sought from a misquotation based on a misunderstanding of a line in the *Yuga-purāna* of the *Garga-Saṁhitā*. The line is:

Sthāpayiṣyati mohātmā vijayaṁ nāma dhārmikam,

i.e., the fool will establish the so-called conquest of Dharma. This line applies in fact, as K. H. Dhruva has shown convincingly,[3] to Sāliśuka and to his rule in Surāṣṭra as viceroy under his brother, Samprati, when he forcibly converted the whole land to Jainism by suppressing the sacrificial religion altogether. Here evidently is a new application of the term *dharma-vijaya* by which *Jaina* rulers employed it to describe and *ipso facto* justify the methods they adopted in the propagation of their faith. Garga's line seems to have nothing to do with Aśoka; Sāliśuka's *dharma-vijaya* stands nearer ideologically to the *dharma-vijaya* of Kauṭilya and has nothing in common with the *dhamma-vijaya* of Aśoka.

One final observation may be made before concluding. Aśoka is blamed for having weakened the Mauryan empire by his pacifism. Did Aurangazeb who spent a whole lifetime in war leave the Mughal empire stronger and render the task of his successors easier? If Aśoka is deemed a failure, it seems pardonable to feel that his failure was worth more to humanity than the success of many others!

[1] JBORS, II, p. 83. [2] *Political History of Ancient India*, pp. 270 and 304.
[3] JBORS, XVI (1930), Pp. 18, especially 29-31.

DOUBLE GOVERNMENT IN BENGAL

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THE maintenance of the position and legitimate influence of the Governor is one of the most critical problems that have to be solved in the adaptation of Parliamentary Government to Indian conditions, and it is difficult to over-estimate the importance which attaches to its satisfactory solution. As the British Parliament and the Government at Whitehall gradually withdraw, as the result of successive Reform Acts, from legislative and executive interference in Indian affairs, the office of Governor tends to become, in the most emphatic sense of the term, a position of great responsibility. As early as the year 1919, the Report of the Joint Select Committee on the Government of India Bill of that year, envisaged such a position for the Provincial Governor: "The position of the Governor will be one of great responsibility and difficulty, and also of great opportunity and honour. He may have to hold the balance between divergent policies and different ideals, and to prevent discord and friction. It will also be for him to help with sympathy and courage the popular side of his government in their real responsibilities. He should never hesitate to point out to Ministers what he thinks is the right course or to warn them if he thinks they are taking the wrong course. But if, after hearing all the arguments, *Ministers should decide not to adopt his advice* (italics mine) then, in the opinion of the Committee, the Governor should ordinarily allow Ministers to have their way, fixing the responsibility upon them. It is not possible but that in India, as in all other countries, mistakes will be made by Ministers, acting with the approval of a majority of the Legislative Council, *but there is no way of learning except through experience and by the realization of responsibility.*"[1] (Italics mine.) This was to be the rôle of the Governor in the days when Dyarchy prevailed in the provincial administration of India. We might, therefore, expect that the position of the Governor would become analogous to that of a constitutional sovereign under the Reforms of 1935 when Dyarchy was suspended and full-fledged Provincial Autonomy introduced.

[1] Keith, Speeches and Documents on Indian Policy, Vol. II, p. 246.

But what is the real picture in India? Here, in Bengal, Ministers are of little importance in the administration of the province. Dr. S. P. Mookerjee, late Finance Minister of Bengal, tells us from his practical experience in his published statement of 23rd November, 1942, that "Ministers have very little powers, especially in matters concerning the rights and liberties of the people." He further maintains that in Bengal "during the last one year, the Governor has chosen to act in many vital matters in disregard of the wishes of the Ministers." Thus in this country, the popular Ministers are not the most important factor in the administration. In vital matters they do not decide. The Governor does not allow them to have their way. They are powerless to organize cyclone relief in accordance with popular demands, or to take disciplinary action against officers of government even when they are guilty of grave negligence of duty. They are "helpless in securing redress," as Dr. Mookerjee informs us, "on account of the dilatory and unsympathetic attitude of the Governor himself."

The interference of the Governor in the constitutional activities of provincial Ministers is not, however, a new phenomenon in Indian politics. Responsible government which was sought to be introduced for the first time in the history of British administration in India by the Reforms of 1919, was rendered meaningless by unjustified interferences of provincial Governors in the proper and legitimate functions of their Ministers, and by the unsympathetic and sometimes hostile attitude of the permanent officials. Different provincial *ex*-Ministers like Mr. Chintamani, Mr. Harkishen Lal and Mr. Kelkar testified to this fact in their evidences, both oral and documentary, before the Reforms Enquiry Committee of 1924, which was presided over by Sir Alexander Muddiman.[2] Even Nawab Syed Nawab Ali Chaudhuri, the first Muslim Minister in Bengal, had to say in his written evidence that "while the Minister was responsible to the Legislative Council for his administration, it was the Governor who had the final decision on almost all questions, though he was very little in touch with the Council."[3] Thus, from the very beginning, Responsible Government even of a partial character, which was the purpose and object of the Reforms of 1919, failed altogether to materialise. Parliamentary responsibility of Ministers can only be a sham, when the effective authority for the management of a department rests not with the Ministers, but with the Governor whose actions are not liable to be challenged. It is, perhaps, this consideration which led the Congress Working Committee

[2] Reforms Enquiry Committee Report, 1924, pp. 32-34.
[3] Evidence before the Reforms Enquiry Committee, Vol. V, p. 218.

to suggest in April, 1937, on the eve of Congress acceptance of Ministries, that the Governor should, in case of serious differences with Ministers, demand their resignation, instead of merely overruling their decisions or rejecting their advice. This suggestion, however, was not accepted by the Viceroy as not being the solution provided by the Act of 1935, and therefore incapable of acceptance by Governors. Prof. A. B. Keith, in a letter addressed to Reuter's, 22nd June, 1937, expresses the opinion that "the Viceroy's reading of the Act is without cogency."[4] The Congress demand that a Governor should dismiss his Ministers when he felt called upon to overrule them sought in reality to make the provincial electorate, the final arbiter in disputes between the Governor and his Ministers. The elementary rules of responsible government require that in the administration of a country there must be some person or body in the state capable of acting promptly and assuming full responsibility for such action. If the Governor's disputes with Ministers touch vital issues, Ministers should not remain in office. It is plain that, if in such cases the Governor forces Ministers to resign, he does not in the slightest degree shift responsibility from himself, but openly assumes it. Such assumption of responsibility is the very essence of responsible government. For any and every action of the executive there must be some person or body who can he held accountable. But the present constitutional position in Bengal created by the resignation of Dr. S. P. Mookerjee is highly perplexing. Dr. Mookerjee in his statement of 23rd November, assigning reasons for his resignation, openly said that all the members of the Council of Ministers shared his political convictions, but "they found themselves helpless." Such a statement is not complimentary either to the Governor or to the Ministers. The present Government of Bengal is admittedly an instance of responsible government. We really fail to understand on whose responsibility—the Governor's or the Ministers'—the present administration is functioning. Dr. Mookerjee told us in his statement that all the Ministers felt very strongly about these matters and that some of them would not hesitate to record their protest and sever connections with the present administration. Such a statement is not very helpful. From a certain point of view, the statement is highly damaging to the present Cabinet Government in Bengal. The statement not merely removes the very basis of joint or collective responsibility of Ministers, so much insisted upon by the Royal Instrument of Instructions; but what is still more significant, it blurs and renders nugatory the principle of responsi-

[4] Keith, Letters and Essays, 1936-37, p. 111.

bility itself. We are told by Dr. Mookerjee that Ministers "find themselves helpless," and yet Ministers, instead of resigning, cling to their offices, and the Governor, in spite of disputes with Ministers touching vital issues, does not think it necessary to dismiss them. This is, in truth, personal or departmental system of administration, and not Cabinet Government properly so called. England had bitter experience of this kind of government during the first twenty-four years of the reign of George III. Happily for England, there has been no revival of any such system since then.

In Bengal, it should be our earnest endeavour to discover and to achieve the principle of responsibility. If responsible Ministers really "find themselves helpless," then they should, out of a sheer sense of responsibility to the electorate, in a body resign, and thus enforce the principle of collective responsibility. To leave electoral opinion in the dark as to the policy and programme of responsible Ministers is highly undesirable. At the same time, the Governor, as the guardian and interpreter of the constitution, should get rid of Ministers with whom he cannot agree and whose policy or views he cannot support. He must find new Ministers, and if these new Ministers cannot command the confidence of the legislature, the Governor must either submit to the verdict of the electorate or suspend the constitution by personally taking over charge, as carefully provided for by Section 93 of the Constitution Act. To do neither is flagrantly unconstitutional. "A self-governing dependency" wrote Cornewall Lewis many years ago, "is a contradiction in terms." Let the Government of Bengal stand revealed either as a province with real responsible government, or as a mere dependency.

One more observation in this connection. It is, perhaps, permissible to think that Ministers have got the right of making representations to the Governor-General or the Secretary of State for India, in cases where they are overruled by the Governor in the exercise of his special responsibilities. The classical precedent in the British Dominions is the attitude of the New Zealand Ministers in 1892 when the Governor refused to add twelve members to the Upper House in order to give them effective strength therein. The Governor thought that in this situation the Ministers should resign, but they remained in office on the irrefutable ground that, if it were the duty of the Governor as part of the functions imposed on him to reject the advice tendered by his Ministers, the Ministers also could not be held responsible for the Governor's action and should not be justified in retiring from the administration of their country's affairs. Instead of resigning, they made successful representations to the Colonial Secretary to overrule the Governor. Prof. A. B. Keith thinks that "the

applicability of the parallel to Indian affairs is palpable and undeniable."[5] In Bengal, the inexplicable silence of the Ministers after the resignation of Dr. S. P. Mookerjee, makes them responsible for the Governor's action. They can now honestly adopt one of the following three constitutional courses: they may continue to identify themselves with the action of the Governor, and by so doing be prepared to shoulder responsibility and face the consequences; or they may resign their offices and thereby thoroughly dissociate themselves from all share and responsibility in the administration; or in the last resort, they may make representations to the Secretary of State as to the action of the Governor, and be ready to stand or fall as the result of those representations. The continued maintenance of silence is a hindrance to constitutional government. We may, perhaps, go further and say that the constitution, as it is being worked at present in Bengal, is a positive stumbling block in the way of democratic progress.

Responsible Government is a much misunderstood phrase, especially in this country. The term came into vogue in the midst of political unrest in Upper Canada during the third and fourth decades of the nineteenth century.[6] In England its constitutional significance and implications were, for the first time, clearly brought out in the impeachment of the Duke of Buckingham in the reign of Charles I. The Duke as a minister of the crown, tried to take shelter behind the king's orders in the bar of impeachment. But this plea or subterfuge of the minister was immediately brushed aside by the House of Commons whose spokesman, Sir John Eliot, now eloquently enunciated the doctrine of full ministerial responsibility. "My Lords," he said, "I will say that if His Majesty himself was pleased to have consented or to have commanded, which I cannot believe, yet this could no way satisfy for the Duke, or make any extenuation of the charge, for it was the duty of his place to have opposed it by his prayers, and to have interceded with His Majesty to make known the dangers, the ill-consequences that might follow." The modern doctrine of ministerial responsibility cannot perhaps be more fully stated in the same number of words. Here is the clear principle that it was the minister's duty to resist the orders of the king if he knew that they were wrong, and to protest against the attempt of the king to carry out his will in an illegal or unconstitutional manner. If a minister does not do that, does

[5] Keith, Letters and Essays, 1936-37, p. 112; also Keith, Responsible Government in the Dominions (ed. 1928), Vol. I, p. 574.

[6] See Aileen Dunham, Political Unrest in Upper Canada (1812-1837), especially the last two chapters.

not resign, but, on the other hand, consents to become even an unwilling instrument of the king's action, he is responsible and must be held accountable. In this light, the statement of 23rd November of Dr. S. P. Mookerjee, that Ministers "have found themselves helpless" in Bengal, appears to be pathetic indeed. It does not carry much conviction. If Ministers are so very helpless as Dr. Mookerjee describes them to be, then, it is the clear duty of their places to record formally and emphatically their protest and come out of the Council of Ministers. Under Responsible Government, there can be no such thing as a Ministry disapproving whole-heartedly the policy of the executive, and yet remaining in office at the same time.

Dr. S. P. Mookerjee's charge that "in Bengal a dual Government has functioned during the last one year, and that the Governor has chosen to act in many vital matters in disregard of the wishes of the Ministers," is a serious one. But it is nothing new in Indian Administration. In his evidence before the Reforms Enquiry Committee of 1924, Rao Bahadur N. K. Kelkar, ex-Minister, Central Provinces, bitterly complained about a large degree of interference by the Governor. He said that he was overruled even in ordinary details of the administration. In his written evidence he stated that the permanent Heads of Departments could, and often did, challenge the propriety of Minister's orders, and the Ministers could do them no harm, even if their decisions or recommendations were ultimately negatived by the Governor. The various instances of interference that occurred during his term of office had left an impression on his mind that the bureaucracy still wanted to retain the control of the departments in their hands ; and that owing to the very wide powers conferred upon Secretaries, cases which were, in his opinion, petty or simple, were taken to the Governor for final orders. Lala Harkishen Lal, who was Minister in the Punjab, gave evidence to the same effect. Sir A. P. Patro, Minister in Madras, stated in his official memorandum that the Governor of the Province was more absolute in the transferred subjects than in the Reserved subjects. Mr. C. Y. Chintamani, who was a Minister in the United Provinces, gave evidence of a somewhat similar nature. For example, he said in his written statement that Commissioners and District Officers made repeated attempts at interference in the administration of transferred subjects. He said : "I have passed through every stage from a habitual 'Honourable Minister is responsible and his view shall prevail,' and 'I must support the Honourable Minister' to being overruled in matters of varying degrees of importance and unimportance down to nominations to a library committee." Finally, Sir Chimanlal Setalvad, a wise, cautious and level-headed statesman who was for some years an Executive Councillor in Bombay, declared in his evidence that the Governor claimed a greater power of interference than

was intended. He also found the Governor asserting that "the Minister's function in law was merely to advise."[7]

Thus under the Reforms of 1919, the Governor virtually stood forth as an irresponsible, rather than as a constitutional head. He, and not the Ministers, was the motive force in the provincial administration. The Ministers never really had authority. They were very soon transformed from effective political chiefs to nominal figure-heads. The Governor carried on the Government with the assistance of the Services. Provincial autonomy meant an increase in the power of the Governor, without a corresponding increase in his responsibility to the Legislature. Before the Reforms of 1919, however, the old Council Government was some check on the powers of the Governor. He was then *primus inter pares* among the Members of his Executive Council. After the Reforms, under devolution rules, he became almost a dictator in the provincial administration. Referring to George III's personal and departmental system of Government, Edmund Burke said in 1770 in his *Thoughts on the Causes of the Present Discontents*: "The power of the Crown, almost dead and rotten as Prerogative, has grown up anew, with much more strength and far less odium under the name of Influence." Royal Influence, therefore, was an admirable substitute for Royal Prerogative in England during the reign of George III. In India, similarly, some of the Governor's Prerogatives, being abolished by Acts of Parliament, have grown up anew with much more strength and far less odium, under the name of special responsibilities and discretionary powers. We have thus in this country the old wine of governmental absolutism in the new bottle of so-called popular control.

In the Indian Round Table Conference, in December, 1930, Mr. C. Y. Chintamani, as a member of the Provincial Constitution Sub-Committee, advocated the establishment of unitary responsible governments in the Provinces, unhampered by restrictive provisions in the name of safeguards or special responsibilities of the Governor. His plea was that the Provincial Government should be constitutional or fully responsible government, and that it should be presided over and have at its head a constitutional Governor. Mr. Chintamani, and Sir Chimanlal Setalvad who also was a member of the Provincial Constitution Sub-Committee, vehemently urged that the discipline and control of the Civil Services should be vested in the Provinces where the Civil Servants were engaged. They wanted to bring

[7] Reforms Enquiry Committee Report, 1924, pp. 27-33. See also on this subject an illuminating paper "Indian Civil Service and Provincial Autonomy" by Dr. N. C. Roy, in the Calcutta Review, February, 1940.

to an end the undesirable state of affairs in which "the Ministers were only the nominal heads, and the heads of Departments were the real heads." Mr. Chintamani, in particular, was anxious to see the establishment of a system in which the I.C.S. Secretary would not be permitted "to act like a spy upon a Minister." [8] The Government of India Act, 1935, however, was drafted and passed in Parliament in total disregard of the recommendations made by these two Indian statesmen. The rights and interests of the Services were left intact; and although responsible unitary government was conceded in name, yet the Governor was invested by the Statute with tremendous over-riding powers which would make Provincial Autonomy and Responsible Government meaningless. Sir Samuel Hoare, the author of the Act of 1935, regarded the safeguards of the Act "not as a stone wall that blocks the road but as a hedge on each side, which no good driver ever touches but which prevents people from falling into the ditch." But what has been the practical result of these safeguards or special responsibilities? It is now seen that with their help and with the assistance of the Services the Governor can "block the road" to responsible government. In the light of Dr. S. P. Mookerjee's statement we now find that in Bengal, at any rate, responsibility is buried under a pile of reservations, safeguards and discretions. Special responsibilities of the Governor, as the result of constructive interpretation, have come to mean Governor's duties that cover the entire field of administration.

"Every constitution," observes Prof. Laski, "works in terms of a parallelogram of forces which determine its meaning at any given time." [9] The Constitution of 1935, with all its safeguards and reservations, might perhaps have been adapted to different purposes if the Indian Electorate could uniformly and consistently create sufficient sanction to work that Constitution for its own ends. On the eve of Congress acceptance of office in the different Provinces of India, in 1937, the Working Committee of the Indian National Congress demanded an assurance from the Governor that he would not use his special powers of interference, or set aside the advice of the Ministers in regard to their constitutional activities. As this specific assurance was not available, there was an *impasse* for some time; but ultimately, on 21st June, 1937, Lord Linlithgow, in a message to the people, practically conceded the Congress demand and brought about a reconciliation between the opposing points of view. He seemed to say

[8] Proceedings of Provincial Constitution Sub-Committee, Indian Round Table Conference, 1930-31, pp. 6-7, 26-28, 77, 113-14, 141.

[9] Political Quarterly, October, 1937. Laski's article "The Constitution under Strain," p. 507.

that safeguards or special responsibilities were not rigid or unalterable. He further observed: "Of their nature, politics are dynamic, and to imagine that their expression in terms of a written Constitution can render them static, would be utterly to disregard the lessons of history." As to the special responsibilities of the Governor, the Viceroy said that ordinarily the Governor would be guided in the exercise of his powers by the advice of his Ministers. But if the Governor was unable to accept the advice of his Ministers, then the responsibility for his decision was his and his alone. "In that event," the Viceroy declared, "Ministers have no responsibility for the decision and are entitled, if they so desire, publicly to state that they take no responsibility for that particular decision, or even that they have advised the Governor in an opposite sense." It is perhaps pertinent now to enquire on how many occasions responsible Ministers in Bengal have publicly stated that they took no responsibility for the individual decisions of the Governor, or for the unpopular actions of the Executive.

The establishment of Congress Ministries in seven Provinces of India, in July, 1937, is an important landmark in Indian Constitutional history. Congress Ministers came to office with a new mood and a new temper. Early in 1938, there occurred in Bihar and the United Provinces, what might be called, a crisis in the Constitution. The Ministries of those two Provinces had offered their advice to the Governors for the release of certain political prisoners. As the Governors found themselves unable to accept the advice of the Ministers, the Ministers tendered their resignation. Pandit Govind Ballabh Pant, the United Provinces Premier, in his letter addressed to the Governor, on 15th February, 1938, pointedly and firmly referred to the question of responsibility in this affair: "The responsibility for maintaining Law and Order in the Province is that of Ministers. No Council of Ministers can discharge its functions satisfactorily if its considered opinion is disregarded arbitrarily in respect of momentous questions, strictly falling within its purview." [10] The Indian National Congress, in its session at Haripura in February, 1938, approved of, and endorsed the action taken by the Ministers of the United Provinces and Bihar, and congratulated them on it. The result was that on 22nd February, 1938, the Viceroy Lord Linlithgow issued a statement on the matter in a conciliatory tone. He declared that there was no desire on the part of the British Government to undermine the position of the Congress

10. White Paper on the Resignation of Ministries in Bihar and the United Provinces, February, 1938, Cmd. 5674, pp. 5-9.

Ministries. He said that it was now "open to Ministers, in consultation with the Governors to pursue a policy of release of prisoners." Finally, Lord Linlithgow expressed his sincere and earnest hope that it might shortly be possible to return to normality, and that in the two Provinces concerned the Ministers in discussion with the Governors, might find themselves able to resume their interrupted labours." [11] Thus, in this instance the Congress Ministries in the two Provinces successfully claimed that the duty and the right of examination of the cases of political prisoners belonged solely to responsible Ministers. On 25th February, 1338, curtain was dropped on the episode by a joint statement issued by Sir Harry Haig and Pandit Govind Ballabh Pant, as Governor and Premier of the United Provinces, respectively. The statement is illuminating and throws a flood of light on the mutual relations between the Governor and the Ministers. It is as follows: "There is no reason to fear any usurpation of, or interference with, the legitimate functions of the responsible Ministers. We are both desirous of maintaining healthy conventions, and with good-will on both sides we hope we will succeed." Thus ended an eventful and significant chapter in the history of the new constitution with the unequivocal acceptance of the principle of complete ministerial responsibility. Responsible Government has within it elements of stresses and strains. In England, as Lord Balfour once remarked, the stresses and strains are mitigated by the Crown and by the Public Services.[12] In India, unfortunately, the Governor does not play the rôle of the Crown; he is not neutral; he does not belong to the "dignified" part of the Constitution. The Public Services here, on the other hand, aggravate the stresses and strains inseparable from responsible government. In England conventions of the constitution have made such phenomenal progress for several centuries that the king of England is not now able to say constitutionally even a few words of his own in his public utterances. In December, 1936, King Edward VIII, just after his abdication, speaking across the seven seas over the radio, made the pathetic admission: "At long last I am able to say a few words of my own. Until now it has not been constitutionally possible for me to speak." It is really a long and instructive story from the day when kings initiated self-government in England by royal command to the day when an abdicating king found himself reduced by conventions of the constitution to the absolutely constitutional position of complete self-effacement.

[11] *Ibid.*

[12] Balfour's Introduction to the English Constitution by Bagehot (World's Classics, Oxford), p. xxiv.

The Constitution of 1935 is under strain. In a sense, the simultaneous resignation of Congress Ministers in the different provinces of India in the autumn of 1939, was unfortunate. The cause of responsible government in India from that very moment was foredoomed to failure. Every constitution works in terms of a parallelogram of forces, and the forces that could be generated or organised by the other political parties in this country, in the absence of the Congress, were of little or no importance indeed. After the resignation of Congress governments, constitutional situation steadily deteriorated and very soon it relapsed into its old condition. Provincial Governors could now seriously think of standing forth as the real heads of the executive without being fatigued by the irritating notes and comments of responsible popular Ministers. These altered circumstances, perhaps, explain the dismissal of Khan Bahadur Alla Bux in Sind and the resignation of Dr. S. P. Mookerjee in Bengal. Dr. Mookerjee openly declared on 23rd November that a double government had functioned in Bengal during the last one year. Such a government means a constitutional project which is totally different from the system of administration that generally prevails under the rules of responsible government. The essence of this plan is to draw a line which should separate the real executive from the Ministry. Generally we are accustomed to look upon these names as synonymous; but in the scheme of double government, administration and Ministry are to be considered as things totally distinct. Provincial Ministers in India find themselves in an invidious position. They are not, strictly speaking, heads of Departments. In Great Britain, the Ministers are the heads of the different Departments of government by virtue of the royal seals of office which are committed to their custody by the king. The permanent officials there have to look up to Ministers and take orders from them with unquestioning obedience. In fact, the orders issued by a particular Department in England are all the Minister's orders given either specifically or generally.[13] The seals of office in the custody of the different Ministers are not mere ceremonial symbols like the crown and the sceptre; "they are," as Professor Maitland observes, "real instruments of government."[14] Orders or commands by word of mouth, even written orders, are not enough; the seal must be attached. The doctrine of the seals practically compelled the King in England to have Ministers entrusted with the seals which made them real heads of Departments.

But the Ministers in the Indian provinces are heads of different Departments not by virtue of the seals which they should have received

[13] See Sir Edward Troup, The Home Office, p. 3; also the Memoirs of J. R. Clynes who was Home Secretary in the Second Labour Government, 1929-31.

[14] Maitland, Constitutional History of England, p. 393.

automatically as Ministers. They are placed in charge of the executive Departments by the rules which the Governor has been empowered to frame "for the more convenient transaction of the business of the Provincial Government."[15] These rules are made by the Governor, according to the Government of India Act, 1935, in his discretion. The Ministers, in other words, have no control over these rule-making powers. The Act lays down that the rules should be so framed by the Governor as to make it possible for the Secretaries to the different Departments, to transmit to him all such information with respect to the business of the Provincial Government which may involve any special responsibility of the Governor.[16] The Act, in other words, has empowered the Secretaries to approach the Governor directly, over the heads of their political chiefs, in regard to the business of their Departments. "So the irritating arrangement," as Dr. N. C. Roy has very clearly pointed out in a paper published three years ago in this Review, "under which the Ministers suffered so much in the old regime has survived, and Dyarchy remains effective under Provincial Autonomy."[17]

It was this tradition and this arrangement which encouraged Mr. W. B. Brett, Chief Secretary to the Bihar Government, to issue in December, 1937, the infamous circular containing instructions to District Officers regarding the procedure to be followed by them when orders from Ministers, or purporting to be from Ministers were received by them. The circular advised the officers that an order from a Minister could be authentic only when duly signed by one of the Permanent Secretaries. Fortunately a Congress Ministry was in office at that time, and under pressure of public opinion, the circular was withdrawn. On 23rd December, 1937, the Congress Premier of Bihar made a statement in the Bihar Legislative Assembly announcing that Mr. Brett had explained that the circular was in his private capacity, and that he deeply regretted that it should have caused embarrassment to the Ministry. Mr. Brett now made it clear that the note merely conveyed his personal opinion and was not an official instruction of the Government. He repudiated the suggestion that he or any other officers should have tried to place impediments in the way of the Ministers or the Council of Ministers. The Premier said that the Cabinet had accepted Mr. Brett's explanation and were taking steps to circularize orders to District officers stating that the note sent out by Mr. Brett represented his private advice. The Ministry had further

15 Government of India Act, 1935, Section 59(3).
16 Government of India Act, 1935, Section 59(4).
17 The Calcutta Review, February, 1940, pp. 151-68.

passed orders that no Secretary should issue a letter attempting to explain or interpret Government orders, without reference to the Government.[18] Thus the functioning of double government in Bihar was completely stopped by the bold and energetic intervention of the Congress Ministry in this affair. Undoubtedly in the Province of Bihar at this time the constitution was working in terms of a parallelogram of forces.

The conduct of Mr. Brett was so unconstitutional and so clearly indefensible that even *The Statesman*, the leading Anglo-Indian daily of Calcutta, had to make the following adverse editorial comments on his circular, in its issue of 27th December, 1937: " Mr. Brett, Bihar's Chief Secretary, was clearly wrong in issuing his much discussed circular to district officials without the knowledge and consent of the Local Government. He has now explained that he wrote and circulated it in his private capacity ; but a Chief Secretary is not expected to act as a private individual when he tells officials what they should do with orders coming from Government and from Ministers. There are obvious limits to a Chief Secretary's initiative, particularly under Autonomy. Holders of responsible posts should assiduously picture their own position under the India Act before interpreting the Constitution to Civil Servants under them. We are glad that Mr. Brett's error of judgment has been accepted as such by the Bihar Government." Here is a lesson to be drawn by the Government of Bengal from the Brett affair. On this occasion, the Governor of Bihar did not exercise his overriding powers to thwart the plan of the Council of Ministers. On the other hand, he allowed the responsible Ministry of the Province to have its own way in its relations with the permanent officials. If this sound and healthy constitutional precedent of Bihar could only be observed and be followed in Bengal, then, perhaps, it would not have been necessary for Dr. S. P. Mookerjee to confess publicly in his statement of 23rd November that as a Minister of the Government of Bengal he was " helpless in securing redress in the Midnapore affair on account of the dilatory and unsympathetic attitude of certain officials." The Bihar precedent apparently was buried in oblivion with the departure of Congress Ministries from office.

The *locus classicus* on the subject of double government or double cabinet is Edmund Burke's description of George III's administrative system in his famous pamphlet, *Thoughts on the Causes of the Present Discontents*, published in the year 1770. Burke characterized the king's system as the " New Tyranny " under which all important decisions,

[18] Bihar Legislative Assembly Debates, 23rd December, 1937.

of Government were taken by an irresponsible inner cabinet or "a Cabal of closet and back-stairs," while the outer or exterior cabinet had to answer for such decisions in Parliament or before the country. The plan proceeded expressly on the idea of enfeebling the regular Ministerial government. It proceeded on the idea of weakening the state in order to strengthen the Court—in order to aggrandize the king's household. The slightest attack upon any member of the Court Corporation even by the most powerful Minister was a certain preliminary to his own destruction. Burke's vivid description of the nature and working of the Court faction may now be quoted: "Conscious of their independence, the members of the Court faction bear themselves with a lofty air to the exterior ministers. They know that those shadows of Ministers have nothing to do in the ultimate disposal of things. Like janissaries, they derive a kind of freedom from the very condition of their servitude. They may act just as they please; provided they are true to the great ruling principle of their institution. The name by which they choose to distinguish themselves, is that of *king's men*, or the *king's friends*. The whole system, comprehending the exterior and interior administrations, is commonly called, in the technical language of the Court, *Double Cabinet*." [19] The result of this system, as Burke tells us, was to make the administration free from the constitutional and salutary control of Parliament, and to invent for it a *new control*, unknown to the constitution, an *interior cabinet*, which brought the whole body of Government into confusion and contempt.

It is for the electorate of Bengal to judge how far the *double cabinet* of George III, the leading features of which have been so vividly described by Burke, bears any resemblance to the "dual government" in Bengal referred to by Dr. S. P. Mookerjee in his statement referred to above. In the absence of more specific instances of the overriding powers of the Governor and of the disobedience of permanent officials, we are not fully competent to pronounce our verdict. In the mean time, however, we may put forward the suggestion that the responsible Ministers in Bengal should state publicly, according to the assurance given by Lord Linlithgow on 21st June, 1937, the specific matters or instances in respect of which their advice was set aside by the Governor. Taking into consideration the unpopular decisions of the Government of Bengal, they must point out openly and clearly the instances in which they took no responsibility for Government decisions; they must mention the occasions on which they advised the Governor in an opposite sense. This is the least that responsible

[19] The Works of Edmund Burke (World's Classics, Oxford), Vol. II, pp. 28-29.

Ministers in Bengal can do in order to discharge their responsibility to the provincial electorate. Anything else would mean the negation of responsible government. The provincial electorate ought to be the final arbiter in such disputes between the Governor and his Ministers, and the electorate receives an excellent political training and acquires powers of judgment and discrimination through its knowledge of such details of administration. This is the essence of responsible government. Double government, as it functions at present, and divided responsibility should disappear.

THE ARAB INVASION OF SIND

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ISLAM inspired the Arabs with the ardour and organization that enabled them to establish one of the widest empires known to History. During the life-time of Hazrat Muhammad, the whole of Arabia came under the banner of Islam, and after his death (632 A.D.) within six years Syria and Egypt were conquered. North Africa was subjugated between the years 647 and 709 A.D.; Spain in 713 A.D., and within a century of the Prophet's death, the Arabs reached the very heart of France.

In the West, Persia was conquered within eight years after the Prophet's death and by the year 650 A.D., the tide of the Arab invasion reached the mountains of the Hindu Kush.

The lightning speed of the Arab conquest is so dazzling that generally it is believed that if the Arabs wished they could have conquered the whole of India, and they did not advance, because it was not included in the programme of their conquests. But a close study of the Chachnama, of 'Ali bin Hamid bin Abi Bakr-Alkufi and of the Futuhul Buldan of Balazuri shows that the idea of the conquest of India had occurred to them during the Caliphate of Hazrat 'Umar, the 2nd orthodox Caliph of Islam, and from that time till the conquest of Sind they continued their efforts to conquer it.

It is well known to all that four routes are open to the invaders of India coming from the West. One route is by sea and three are by land, namely, *via* the Khyber Pass, the Bolan Pass, and Mukran. From the very beginning the Arabs tried persistently to conquer India. Again and again their ships attacked Thana, Broach, and Daybul without any noticeable success. Through land route also they could not force their entry, because the Khyber Pass was protected by the savage tribes of Kabul who were past masters in guerrilla warfare. The Bolan Pass was defended by the brave Jats and Kaikanan tribes. Besides the mountains, the glens, and the dense forests of these regions challenged the progress of the invaders at every step. There were no roads. Then again there was no Central Government in these regions and therefore no battle could be decisive. The whole region was parcelled out into many small principalities; therefore victory

in a battle meant the occupation of a particular area. After some distance another army under another chief stood ready to challenge the invaders. These chains of scattered defences supported by the mountains, the glens, and the dense forests made the task of invaders extremely difficult. Then again the principalities which submitted to the conquerers, used to throw away their yokes, as soon as they got an opportunity. Such were the circumstances which made the penetration of the Arabs impossible, and inspite of their continued efforts they failed to enter India by the land route. True, if the Arabs would have made it a question of their life and death and would have diverted their whole attention towards the conquest of India, they must have become successful. But they could not do so.

To adopt this course was impossible, because by now the Arab empire had become fairly wide. They had their dominions in three continents—Asia, Africa and Europe. They were too few and yet they had to look to all the fronts, and also to spread their dominions in every direction. They could not concentrate their whole force in one direction and on one front alone. No imperial power wielding a great empire can do so. True, they had crushed the two most powerful empires of those days, the Roman and the Iranian empires, with lightning speed. But these empires were their neighbours, and since the messages of Islam were injurious to their cause, they, in the best interest of the safety of their empires, had to challenge the new Islamic State. Islam also in her self-defence had to come into clash with them. Both clashed together. This was the clash of two thoughts; this was the clash between the ideals of equality and capitalistic organization. The Arabs fought with the Romans and the Iranians for the preservation of their ideals. This was the question of their life and death. Therefore, naturally they were inspired by a pious madness and it was due to the blessings of this madness that the Arabs crushed the two great empires under the hoofs of their horses, with astounding rapidity. But the case of India was quite different. They had no danger from India, and therefore they could not have that sacred frenzy against this country. They wanted to conquer India for the sake of conquest. They were not in a hurry, because there was no question of life and death. In these circumstances, naturally their plan was to develop the conquest of India slowly and gradually under the usual imperial scheme of expansion. For long the land routes of India defied their persistent endeavours of penetration, but at last they did penetrate one of the routes. This was the route of Mukran. Muhammad bin Qasim, entered the land of Sind in 712 A.D. by this route.

The invasion of Sind by Muhammad bin Qasim is a 'Romance of History.' He was only 17, and he was entering a country which had no acquaintance with the sword of Islam, which was full of war-like tribes, which was fortified with the ocean and the desert, which was far away from the centre of the Arabian empire—Damascus. But youth and high ambition could conquer all these obstacles, and the young general without any fear and hesitation entered the land of Sind.

At the time of Muhammad's invasion, Sind was not the Sind of to-day. It was far greater and larger. In the north and the east it touched the borders of Kashmir and Kanauj, and in the west it was spread up to the frontiers of Kirman. Formerly, it was one united kingdom ruled by one sovereign, but before the invasion of Muhammad bin Qasim—much before—its unity had disappeared in the 7th Century A.D., and at the time of Muhammad's invasion it was parcelled out into many principalities.

Although Buddhism was driven out from India, yet it had sufficient influence in Sind, and sufficient number of its adherents were still inhabiting this land. In many places they had their monasteries and in some places districts and forts were under their domination. The tyranny of the Brahmins on Buddhism had created an unbridgeable gulf between the Buddhists and the Hindus. When Muhammad invaded Sind, the Buddhists welcomed him, because the Buddhists living in Islamic dominions were treated with greatest toleration, and therefore they were convinced that the conquest of Islam would be beneficial to the interest of their religion.

After the conquest, Muhammad won the heart of the people with his liberality and toleration. Those who opposed him, he crushed ruthlessly; and those who yielded were treated with generosity. He declared: "Those who will embrace Islam, are our brothers, and those who will stick to their old faith, will pay a poll-tax, and in lieu of that, they will have the same privileges which the Christians and the Parsis have in Syria and Iraq." Sind had never witnessed such a toleration. Whole Sind bowed down. This was a true conquest of a country, nay, the conquest of hearts, which is everlasting.

Muhammad bin Qasim had conquered up to Multan and India was at his feet; but circumstances decided otherwise.

We learn from Balazuri that at the time of Muhammad's invasion of Sind in 712 A.D., Walid bin Abdal Malik was Caliph. But in 715 A.D. Walid died and Sulayman bin Abdal Malik succeeded him. In the mean time Hajjaj bin Yusuf was also dead. Sulayman was a sworn enemy of Hajjaj, but Hajjaj was dead. Therefore Sulayman began to wreak ven-

geance on his relatives. Unfortunately, Muhammad, the conqueror of Sind, was the cousin of Hajjaj. This was his great crime. He was summoned by the Caliph. This was the summons of death. Muhammad had already conquered Multan and the whole of Sind adored him. If he wished, he might have raised the standard of revolt, but he did not intend to disobey the Caliph, and he had to pay dearly for it, namely, his life. But he was prepared for it, and he presented himself at the Court of the Caliphate. By the command of the 'Commander of the Faithful,' he was thrown into prison, where subsequently he died.

But Muhammad had conquered Sind for ever. Even after his death, the people of Sind idolised him. It was the conquest of love, not of sword. But this episode shut the door of the Arab conquest in India for ever. If this event would not have occurred, then, to be sure, the whole of India must have become part and parcel of the Arabian empire, and the history of Muslim conquest of India must have been written otherwise. It must have been the same history which is the history of Iran, Egypt and North Africa, to-day. True, in the 12th Century A.D., the Muslims conquered India, and they continued their reign till the advent of the English people. But this is the history of the conquest of a country; and not the history of the conquest of Islamic culture and ideals. If this country would have been conquered by the Arabs, then, its history would have been quite different; for it was the characteristics of the Arabs that the people of the countries whom they conquered, adopted their religion, their culture and their language, and they came under the standard of Islam for ever. But the Muslim conquerors of India were the Turks, the Afghans and the Mughals, who had inherited only the outward form of Islam. They had no acquaintance with the spirit of Islam. They had been bred and brought up under the influence of Iranian culture and Iranian language. The mother tongue of the Turk and the Mughal conquerors was Turkish, and in their homes Turkish atmosphere reigned supreme; and in the homes of the Afghan conquerors the typical Afghan atmosphere moulded their thoughts and ideals. Therefore, the second-hand Islamic culture which they had adopted, could not inspire them with the ardour and vigour to propagate it. The result is that the history of Islamic India could not become, what it would have been in the case of Arab conquest. But they had conquered this country, and had ruled over it for long; therefore although they could not gain a permanent and everlasting victory over the minds and souls of the people of this country, yet they were rulers and it was not possible for the conquered people to escape the religious and cultural influences of her conquerors. Therefore, naturally, India was

also influenced by her Turk, Afghan and Mughal conquerors. But what was the extent of their influences? This is beyond the scope of this paper. Let us now turn to the Arabs and their influence on Sind.

Stanley Lane-Poole in his book 'Mediaeval India' observes, "The Arabs had conquered Sind, but the conquest was only an episode in the history of India and Islam, a triumph without results." This view is generally shared by other writers too, but this is not borne by facts. Muhammad bin Qasim set his foot on the soil of Sind in 712 A.D. From that time till 125 years, it was a province of the Umayyad empire. Then came the Abbasids and Sind continued to be a province of the Arabian empire till the Governor of Sind, taking advantage of the weakness of the Abbasid Caliph, raised the standard of revolt and became independent. This independence cut off Sind from the centre of the Arabian empire. Being isolated from the centre, the Arabs in Sind, lost their prestige. The idea that they were governed by an imperial race and that they were part and parcel of a great empire, inspired the Sindis with awe and terror. Now that awe and terror was gone, and they thought that they were being governed by a hopeless minority. This made them bold and many independent principalities sprang up and the people became hostile to the Arabs. But credit must be given to them that inspite of this critical situation, they firmly stuck to the land, which their fathers had conquered; and continued to propagate their religion and culture from their three centres, namely, Mansura, Mahfuza and Multan. The Arabian culture continued to rule here for about 500 years, till the Turk conquerors replaced them in about 1182 A.D.

Istakhari who visited Sind in 951 A.D., observes thus, "In Multan, people wear Payjamas. Majority of people speak Persian and Sindi."

Ibn-i-Hauqal who visited this land in 977 A.D. tells us, "Here the Muslims and Hindus wear same kind of garment, and the fashion of hair-cutting is also the same. In Multan and its vicinity people speak Arabic and Sindi. People of Mukran speak Mukrani and Persian. They wear Kurta, but the merchants use shirt and *Chadar* after the fashion of the people of Iraq and Iran."

Bashshari who came here in 985 A.D., writes thus, "Here (in Multan) women do not go to the market with decorations. No man can talk to a woman in the way or in the market. People understand Persian. The coins are struck after the fashion of the Fatimids of Egypt. The language of Mansura is Arabic and Sindi."

Like our Hindustani, Sindi also contains innumerable Arabic words, and the script is Arabic. It is also to be noted that the bulk of popu-

lation had accepted Islam under the influence of the Arabs, and to-day, it is one of those provinces where Muslims are in Majority. Thus we are led to the conclusion that the Arab conquest of Sind was "not.....an episode in the History of India and Islam." It has left behind a permanent stamp on the cultural life of the country—on its culture, on its language and on its population for ever.

FREEMASONRY—A STUDY

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SEVERAL people have shown an irritating curiosity as to the well known order of Freemasonry. There are reasons for the partial knowledge of the craft. The most important of them is that much literature has not been written and published about this occult order. The earliest written word on the subject is a German work by Professor J. G. Buhle, who expanded a Latin dissertation read by him in the year 1803 to the Philosophical Society of Gottingen. It is also said that the oldest records were unfortunately lost with the result that there is no trustworthy history.

Few people know as to what Freemasonry stands for. Its significance is not well understood. Some take it to be a sort of intellectual cult; others believe it to be an earnest attempt to improve the lot of the common people. It is not only that but also something more.

Towards the middle of the 18th Century, Freemasonry was known as an important social and political institution—a kind of lay creed, devoted to humanitarian progress and liberal reform. It was a time when all such tendencies were being violently suppressed all the world over.

At any rate, the ideals of Freemasonry were in more than one respect similar to, or at least very closely related to, the ideals of the French Revolution. Gradually, considerations of confession and nationality made way for the principle of humanitarianism. By and by it came to be recognized on all hands that the so-called "nationality" and "religion" are determined in the case of an individual by the mere chance of his or her birth. But the Freemasons on the other hand held a firm conviction in the progress of mankind as an achievement of one's own personal endeavour. Freemasonry was also opposed to the caste spirit as also to fanaticism and to chauvinism. They advocated the solidarity of cultural humanity. They stood for the complete abolition of slavery and for world peace. As a matter of fact, peace congresses and philanthropic movements originated in these very noble ideals.

In making a brief historical survey of the continental countries, we find that in Spain, Italy, Portugal and other places which had for a pretty long time been under the tyranny of priesthood, Freemasonry was

an outspokenly "revolutionary" movement. It was presumed that in these countries the Freemasons intended to abolish completely Jesuitism, Church Dogmatism and Clerical Privileges.

All these activities were infinitely antagonistic to the general trend of thought. Accordingly, an inquisition was introduced against all such movements in Spain and Italy in 1738. In Germany and Austria, however, the activities of the Freemasons were on the whole less political than in the "Roman" countries. None the less it was viewed with distrust in official circles. This assertion is proved by the fact that the Empress Maria Theresa was herself a very violent opponent of Masonry. Consequently in 1743, she organized a raid on the Vienna Lodges, and many people were arrested and put into prison. The craft was subjected to constant persecution throughout her reign. But in spite of strong official repression, a very large number of poets, philosophers and artists were more or less closely connected with the order. If not so, they at least openly praised and admired it. Lessing, Goethe, Wieland, Fichte, Hayden, Herder and a host of others were among the supporters of Freemasonry. The celebrated English poet, Robert Burns, was also an ardent Freemason and the text of his poem "*A man's a man for a' that*" proves this fact beyond any shadow of doubt.

The precise origin of this ancient institution is not exactly known. The available accredited records do not take us beyond the last three or four centuries. On the other hand it is alleged that they had existed for more than twenty hundred years. Those who adopt this hypothesis cannot explain as to how it happened that for twenty entire centuries, no writers contemporary with the different periods of these orders, have made any allusion to them. If, however, they say that it is due to the secrecy of their proceedings, well, this might have secured their doctrines and mysteries from being divulged, but not the mere fact of their existence. Not to speak of West, even in the earliest records of the East, we meet with nothing which bears any resemblance to this order. Neither in the history of early Greece or Egypt or Iran or India is any trace to be found of Masonic characteristics. In general then it is to be affirmed as a fact established upon historical research that before the beginning of the 17th century no sign is to be found of Freemasonry.

As a matter of fact, towards the end of the 16th century, Cabbalism, Theosophy and Alchemy had overspread the whole of Western Europe and especially of Germany. To this mania which infected all classes, no writer has contributed so much as Theophrastus Paracelus. Many heads in England also, at the beginning of the 17th century were occupied

with these subjects. Robert Fludd (1574-1637), author of *Summum Bonum* (1629), must be considered as the immediate father of Freemasonry as Andrea was its remote father. According to one tradition, Cromwell with some confidential friends founded the Order in 1645, ostensibly for the purpose of reconciling the contending parties in religion and politics.

The mother Grand Lodge of the Freemasons in the world is that of England which was inaugurated in the metropolis on St. John Baptist's day in 1717 by four or more old Lodges, three of which still flourish. In Scotland and Ireland also the craft was widely patronized. The other lodge, the most noteworthy of all the English predecessors of the grand lodge of England, was long held at York, the Mecca of English Freemasons. Since then the craft has developed on the continent of Europe on different lines through the ages. The first Masonic Lodge in Paris was constituted in the year 1732, but one was formed still earlier at Girbraltar in 1728-29. Also others were opened in Germany in 1733, in Portugal in 1735, in Holland in 1735, in Switzerland in 1740, in Denmark in 1745, in Italy in 1763, in Belgium in 1765, in Russia in 1771 and in Sweden in 1773. In most of these countries Grand Lodges continue even to this day except in those countries, such as Italy and Germany, where now no Masonic Lodges are permitted. In the American colonies also Freemasonary was planted by English masons during the first three decades of the 18th century. The first Lodge in Boston was organized in 1733. In the Dominion of Canada it is believed to date from 1740. In India also Lodges were constituted from 1730 at Calcutta, then in 1752 at Madras and in 1758 at Bombay. Shortly after this period, the Grand Lodges of England had their representatives at work throughout the world.

As to the term *Freemason*, it is now applied to those who belong to this particular brotherhood, that of *Mason* being applicable to one who follows this trade as a builder. If we go back we find that since the 14th century it is held by some authorities that it described simply those men who worked "freestone," but there is abundant evidence to prove that, whatever may have been intended at first, the term *Freemason* soon had much wider significance, the prefix *free* being also employed by carpenters (1666); sewers (15th century tailors at Exeter) and others, presumably to indicate that they were free to follow their trades in certain localities. On this point, Gould in his "*History*" (Vol. II, p. 160) well observes, "The class of persons of whom the Freemasons and their congeners in the 17th century derived the descriptive title, which became the inheritance of the Grand Lodge of England, were *free men*, and masons of guilds or companies." In the words of Mr. William E. Hammond, who

possesses a working knowledge of the ritual, Masonry, "is a unified system of moral instruction." In the *New English Dictionary* (Oxford, Vol. IV, 1897) under "*Freemason*" it is mentioned that three views have been propounded:—

(1) "The suggestion that *freemason* stands for free-stone-mason would appear unworthy of attention, but for the curious fact that the earliest known instances of any similar appellation are *mestre mason de franche peer*.

(2) The view most generally held is that freemasons were those who were free of the mason's guild.

(3) There is also a view that the prefix *free* is derived from the word *frere* (brother)."

As to the secret of Freemasonry and its occult doctrines let me say that the whole mysteries of the order as now existing all over the civilized world for more than four centuries, are latent in its universal and essential characteristics, some of which are as follows:—

(*i*) Entire equality of personal rights amongst their members in relation to their final object. All distinctions of social rank are annihilated. It may be argued that this feature of personal equality amongst the members in relation to their private object is not exclusively the characteristic of the Freemasons. True; it belongs to many movements which have arisen in modern times. But, notwithstanding that, it is indisputable that to them was due the original scheme of an institution having neither an ecclesiastic nor a political tendency, and built on the personal equality of all the individuals who composed it.

(*ii*) Women, children and those who are not in the full possession of civic freedom are excluded from the society. Masonry presumes in all its members the devotion of their knowledge and powers to the objects of the institution.

(*iii*) The Freemasons were exposed to a suspicion of atheism and sorcery as the order makes pretentious mysteries. These relate partly to ends and partly to means, and are derived mainly from the East, whence they profess to derive an occult wisdom not revealed to the profane. It was this striving for hidden knowledge which specially distinguished these societies from others that pursued unknown objects. And because their main object was a mystery, and that it might remain as such, an oath of secrecy is demanded of every member on his admission. Besides, all the acts of the members are symbolic and unintelligible to all but the initiated.

(*iv*) Another characteristic is that the order has a general system of sign (*e.g.* that of recognition), usages, symbols, myths and festivals.

We must not forget however that the Masonic order was not originally at all points what it is now: it has passed through many changes and modifications; and no inconsiderable part of their symbolic system has been the product of successive generations. In this place it may be sufficient to say generally that even that part of the ritual which is already known to the public will be found to confirm the conclusion drawn from other historical data as to the origin and purpose of the institution.

The society itself proclaims to the world the public profession of beneficence. Many States in Europe, where Lodges have formerly existed or do still exist, are indebted to them for the original establishment of many salutary institutions having for their object the mitigation of human sufferings.

Masonry is also compatible with every form of civil constitution. This cosmopolitan relation of the order to every mode and form of social arrangements has secured the possibility of its reception amongst all nations.

Freemasonry does not impose celibacy, and this is the criterion that distinguishes it from the religious orders in which celibacy is an indispensable law. It enjoins no peculiar dress either (except of course in the official assemblage of the Lodges, and that for the purpose of marking the different degrees). There are no ranks of distinction in the ordinary commerce of life, and no abstinence from civil offices and business.

In the first quarter of the present century the number of Freemasons in the world doubled, and in August, 1928, exactly fourteen years ago, it stood at 4,400,000. In addition to this, there are now at least 1,000,000 " unrecognized " masons.

Miscellany

ECONOMIC SIBERIA

The possibility of war in the Far East has been a dynamic force in Soviet planning east of the Urals since 1928. The romantic conception of Siberia, where picturesque Cossacks galloped over the barren steppes or as dreary prison area for exiled convicts, is no longer true today.

The object of the Soviet Government under the Five Year Plans was to make Siberia self-sufficient in heavy industries, foodstuffs, and manufactured goods. The total population of this huge country, which in area is seven and a half times the size of India, is only 21 millions as compared with 400 millions. Migration and settlement has therefore been a key project. Before 1914 there were vast migratory movements to Siberia because of the lack of cultivable land in the central areas. More recently special efforts to create new settlement have increased the population by about one-third. However, the rate of increase in rural population was not as great as that of the urban areas, and lack of labour is a serious problem.

As regards agriculture under the impetus of the second and third Five Year Plans, an effort was made to make Siberia the granary of the future. Industrialization has helped its development in providing food for the workers and the raw materials for new industries. A special feature has been the vast industrialization of agriculture itself and the increased use of machinery. *Kolhoz* or collectivised peasant farms, have taken the place of small individual peasant holdings, while *Sovhoz* or large State farms have played a leading rôle in crop and livestock production. The bulk of crops and livestock come from the collectives. By 1936, nearly all peasant holdings had been collectivised and tractor stations set up to service the farms.

Increased use of electricity and machinery in planting and cultivating is revolutionizing Siberian agricultural economy, and improved forms of irrigation, land reclamation in the East, the use of chemical fertilizers, and careful seed selection, have all helped to increase the output of crops.

In livestock, numbers and quality have been increased by encouraging collectives to have their own herds. Stress is laid on improvement of breeds. Western Siberia specializes in wheat, oats and soya beans, and the more industrial crops of flax, hemp, sunflower seeds and sugar beets. It is also practically self-sufficing in dairy products and meat.

In minerals, Siberia is a veritable treasure house, with vast reserves. Its potential wealth in minerals is incalculable. It has all the basic fuels of oil and coal to provide power for the industries which utilize the enormous deposits of iron ore, manganese, lead, silver, gold, copper and zinc. The iron comes mainly from the famous 'Magnet Mountain' near Magnitogorsk. The U. S. S. R. is the world's largest producer of manganese. Valuable metals in war industries such as chromite, tungsten and bauxite are mined. The Soviet's great air force is dependent on the aluminium produced from bauxite. Gold deposits are estimated at one-third of the world's resources.

In addition to these raw materials the discovery of various chemicals has given an impetus to a large chemical industry. Asbestos, so widely used in the automobile factories, is abundant.

The enormous drive for industrialization has given birth to two great industrial centres in Siberia. The first is in the Urals including Sverdlovsk, Chelybiansk and

Magnitogorsk, and the second in Central Siberia, Novo-Sibirsk being the capital of this area and Kouznietsk and Kouzbass the two most important towns. The first of these centres produces every form of iron and steel product, and the second provides the coal for the former group. The growth of these factory towns has been extremely rapid. They seem to have sprung out of the steppes. It is planned to supply all the Far Eastern requirements in iron and steel.

An important adjunct to industrial economy is the development of hydro-electric power. The annual outpt of energy is 4,000 million K. W. from the huge power station near Lake Baikal.

In the utilization of all this amazing wealth the development of transport by road, rail, river, sea and air plays an important part. The main artery of communication is in the Trans-Siberian Railway, which has been made invaluable by the building of a double track.

Civil aviation continues to progress and all the important towns are linked by air. Tele-communication development has kept abreast of the times. In 1939 two telegraph lines were opened between Khabarovsk and Moscow, linking the East with the West, and in early 1940 a Photo-telegraphic connexion was made between the two cities. (Adapted.)

BENOY SARKAR

HARDING'S IMPULSE TO DOMINATE *

In a study of the psychological processes underlying the socio-cultural phenomenon known as war W. D. Harding makes a distinction between "dominative behaviour" and "integrative behaviour." The belittling of the other person's social value is the characteristic of the former behaviour. In integration there is a tendency to appreciate the other fellow's aim and social significance, and this tendency is mutual. A new aim emerges and this is accepted by the two partners as more satisfying than the original aims. In the ordinary community life the latter behaviour is generally eclipsed by the former of which the extreme form is war. This theoretical analysis is to be appreciated as a speculative contribution to the study of social behaviour. For practical purposes it may be taken for what it is worth.

War may be avoided in case social integration preponderates in the life of individuals and communities. This would imply that "two people who find themselves differing take the opportunity to reconsider completely their original aim or opinion." According to Harding it is not impossible to relinquish or reduce the dominative behaviour. The essential precondition is the attainment of greater psychological security in our social dealings. And for this the fundamental problem consists in eradicating the effects of insecurity in family life. The emphasis on the family may appear a bit too scientific and psychological. But Harding has not stressed a minor factor.

Harding's liberalism is entirely sceptical in regard to the atrocity-stories propagated during war-time. "Not only are the actual brutalities of war exaggerated", says he, "for purposes of propaganda and rationalization, but many entirely baseless stories are invented. In war they are believed; in peace derided by the same people who believed them." It will not be difficult to agree with Harding on this score. His illustrations are derived mostly from World War I (1914-18).

In the analysis of interhuman relations as developed in war-time Harding has exhibited a keen criticality and sane scepticism such as we see in H. D. Laswell's

* W. D. Harding—*Impulse to Dominate* (London, George Allen & Unwin, Ltd., 1941), pp. 360. Price 7*s*. 6*d*. net.

Propaganda Technique in the World-War, (London, 1927), A. Ponsonby's *Falsehood in War-time* (London, 1928) as well as F. C. Bartlett's *Political Propaganda* (Cambridge, 1940). Used as he is to calling a spade a spade, he unearths certain strata of the human *psyche* in which man as a political animal is found to be, as in Pareto, no less anti-social than social. Harding is not a naive peace-propagandist although by all means an energetic exponent of peace. The social integration which may render domination and war unnecessary is not expected by him over-night or at the corner of the street. The desired-for social life would be "many generations distant," says he, "even if the whole world got on to the right lines at once." This is an eminently acceptable social psychology.

Another item deserves special mention. In his analysis there is no extraordinary hiatus between the pre-war and the war mentalities. The two mentalities do not differ in kind. The war-time *psyche* of individuals or groups is exhibited by him as but a continuation of the peace-time *psyche*. In aggressiveness, in the rationalization of wishful thinking, in cruelty, in sexual license, in sadism and in virtually every other interhuman relation or conduct the war serves but to intensify, generalize or bring into relief some of the pre-war tendencies and movements. Morals, manners, and sentiments are not revolutionized by war. A viewpoint like this ought to be capable of somewhat quantitative demonstration and should be very helpful in the analysis of political obligations and duties.

Corresponding to the dichotomy, domination-integration, Harding's sociology exhibits the dichotomy, deference-respect. But he is careful enough to point out that very often respect and deference get hopelessly entangled. Among the many tragi-comic scenes of contemporary social pattern Harding singles out those of the eminent scientist expecting deference to his political view, the wealthy stock-broker to his taste in house furnishing, and the distinguished military man to his views on the up-bringing of children. The view of human nature that one obtains from such psycho-social analysis of man's personality enables us to place a considerable discount on reason, rationality, logic and logicality in human conduct. The *polis*, society, organization or state constructed by such political animals cannot turn out to be the *citè humaine* of milk and honey.

BENOY SARKAR

Round The World.

The Allies and Argentina

During the present War Argentina has maintained the policy of neutrality. Even the formal entry of the United States into the struggle one year ago could not change the mind of the Argentine Government. Recently the Foreign Ministry at Buenos Aires issued a press statemant in which it held out the impression that the British Government were in favour of Argentina continuing this position of neutrality. Naturally this has evoked protests both from the British Foreign Office and from the State Department of the United States. The notes which they have issued in fact deplore unequivocally the neutral policy of Argentina. In this connection it may be useful to introduce here a short background of Argentine politics. We are, accordingly, giving below some facts about it from John Gunther's *Inside Latin America.*

Argentina is a South American country with a population of slightly over thirteen million and with an area five times the size of France. One of the special features of this South American country consists in the white predominance in its population. In most other countries of this continent there is invariably a large Negroid and Red Indian element, either pure or mixed. But in Argentina the Red Indian population had been stamped out almost completely by violence and the Negro element has been kept "in its place." This white supremacy has given Argentina an outlook not only of intense nationalism but of leadership in South America. It regards itself as a natural leader of this continent and on that account regards the United States as its competitor and rival. It should also be known that the white population here is predominantly Latin. Apart from the large Spanish element there are three million people of Italian origin. This Latin character of the population also makes Argentina a rival of the United States, which is predominantly Anglo-Saxon. There is another factor which has intensified the opposition in Argentina to the extension of North American influence in that country. It is the greatest cattle-breeding and beef-producing country. But the United States keeps out this beef as rigidly as possible. This policy has touched both the pocket and the sentiment of the Argentine people.

While the influence of the U. S. A. in Argentina is very small, that of Great Britain has been considerable. British investments in this country have been to the extent of forty million pound. Britain again takes forty per cent. of the total exports of Argentina and fifty per cent. of its beef. Naturally the relation between Great Britain and Argentina has been more intimate and pleasant. Why then should this country refuse to join the Allies in the present struggle ? The reasons are possibly political, economic and strategic.

A large body of Argentine people—the traders, shop-keepers and other elements of the middle class—is radical in political views and opinion. But the country has been governed by a conservative clique of large land-owners. This keeping out of the radicals was possible only because the elections were a farce. In 1938, however, the radical element was so assertive that the conservatives did not think it wise to take any chance. Even in a farcical election there was the risk of the radicals succeeding in the presidential election. The conservatives, therefore, came to a compromise and allowed the radical candidate Dr. Ortiz to be elected as President but they at the same time had Dr. Castillo elected as Vice-President. But this combination did not work. Dr. Ortiz did not give up his radical programme. He even proceeded to give effect to it. The conservatives took alarm. Fortunately for them the President became incapacitated by illness

and in the Summer of 1941 was given leave. Though he sufficiently recovered for a time the conservatives still took him to be seriously ill and did not allow him to rejoin his duties. Recently he has died. Meanwhile the Vice-President Dr. Castillo came to act as President and he has since then gone back upon the radical policy of Dr. Ortiz and worked the Government on the basis of a strictly conservative programme. The conservatives in Argentina should not be regarded as really Fascist-minded. But although not definitely inclined to Fascism, they are not certainly enthusiastic about democracy and the democratic cause. In the present War they are unwilling to choose a side. While politically the party in power is thus committed to a policy of neutrality, reasons of strategy appear to reinforce it. In case Argentina joins hands with the Allies the question arises as to how she will be protected. Argentina is as far away from New York as China from San Francisco. This question of protection arises in every Argentinian mind and persuades it to remain neutral. In view of this the development of greater strength on the part of the Allies may alone dislodge the Government of Argentina from its neutral anchorage.

American Interest in India

Before the present War American interest in Indian affairs was limited to a few small circles only. The mass of the people had only a very vague idea about this country. A man in the street would have regarded India as the land of Yogis, teaching Vedanta, eating serpents, and performing acrobatics. Beyond this he had little opportunity of knowing this country. In his school course he possibly read of it as a British dependency. But otherwise he was left in ignorance about India and her civilisation. The newspapers which he read very seldom made any reference to this country and even when such a reference was made, it was either about a communal riot or about some such uncomplimentary incident. Even when a man went into the University he remained as ignorant of India and her three hundred millions as before. Unless a student took up Sanskritic studies in some famous University, he would not have opportunity of listening to any lecture on Indian affairs. None of the modern courses of study except that on the British Empire would have any bearing on this country. In the exceptional course also India would be disposed of in two or three lectures.

Nothing was done by the Indian National Congress or for the matter of that by any other political party to dispel this American ignorance of India and her conditions. While Japan had her Society for Cultural Relations, the Soviet Union the branches of Voks and Britain her diverse sources of contact, India had none except the centres of the Ramkrishna Mission which had only religious propaganda to carry on. This was an unfortunate condition of things.

With the outbreak of hostilities in 1939 the wooing of American opinion by British agents was accelerated several times. But the isolationist groups and their newspapers, which were at that time against any intimate collaboration with Britain and which were searching for new arguments for fighting the pro-British standpoint raised the question of India's status in the British Empire and made it an argument for American isolation. It was in this indirect way that this country elicited an unprecedented publicity and attracted an extrordinary attention in the United States. The outbreak of the Japanese war and the rapid advance of Japan in the British territories of Malaya and Burma kept up this awakened interest of America in the Indian world. The Cripps Mission, the arrival of Louis Johnson, the establishment of the Indian Government's Agency at Washington continued to keep India in the public eye of the U. S. A. Some of the broad-minded American publicists and citizens also took up cudgels on behalf of the political demands of the Indian people.

Recently there have been further evidences of American interest in India. William Phillips, though only a sun-dried diplomat, was appointed the President's

Personal Representative in India and arrived sometime ago in this country to take up his residence in the Cochin House at New Delhi. The American Foreign Policy Association, an influential non-official body, has issued a bulletin on India in the U. S. A., in which the importance of India in World affairs has been emphasised. The Washington *Post* has again referred to the position of the Indian Agent-General at Washington. As the representative of the Indian Government which is under the control of Whitehall, he is definitely subordinate to the British Ambassador in America and has to play a second fiddle to him. Again though India has been given membership of the Pacific War Council at London, she has been debarred from the Pacific War Council at Washington. The *Post* wants improvement in the existing status of the Indian Agent-General and his admission to the Pacific War Council as a full-fledged member. So far there has been little favourable reaction of this sustained American interest in Indian affairs in Britain. It is, however, hoped that in the future American opinion will be more effective.

American Speakership

The news has been received that two nominations have so far been made for Speakership of the House of Representatives at Washington. The Republican party has nominated Joseph Martin and the Democratic party has nominated Sam Reyburn, the present holder of the office. Unlike in the British House of Commons where the Speakership is regarded as a semi-judicial office and is as a rule filled by the outgoing holder of the office without contest, the Speakership at Washington is emphatically a political office, is contested on party lines and involves political (more correctly party) responsibilities. The Speaker is not expected to hold the scales even between the majority and the minority groups in the House. He is on the contrary expected to grind by his rulings the party axe whenever possible. Until 1911 the Speaker had the important responsibility and the vital power of constituting the Committees of the House. He was in consequence a powerful political figure and wielded considerable authority and control over public administration. Since then this power of nominating Committees has been withdrawn from him. But he is still an important functionary.

The British Communist Party

Recently Harry Pollitt, Secretary of the British Communist Party, asked permission for affiliating his party to the British Labour Party. In the letter which he wrote in this connection he emphasized the necessity of a United Working Class movement in Britain both for winning the War and for effective reconstruction work after. Evidently it is to be taken for granted that when he wrote this letter, he accepted the general policy of the Labour Party as otherwise there is hardly any chance of his appeal being responded to. Even now it is not to be assumed that Transport House will be cheered very much by this offered collaboration of the Communist Pary.

It may be asked as to why the British Communists are so eager to align their forces with the Labour Party whose principle of constitutional and gradual socialism is in every sense inconsistent with the Communist platform. The reason is not far to seek. British labour is as conservative as British capital. The labour population wants improvement in the scale of wages and humanitarian treatment otherwise. But it is definitely opposed to any revolution either in social organisation or in political structure and far less in Britain's imperial control in other parts of the world. It is on this account that communism has so far made little headway in Britain. Its ideas are confined mostly to a few intellectuals and have gained no ground among the labour population.

Some of the British Leftists have always felt that if the programme of communism is even to be partially achieved, efforts must be made to that end by

communists not from outside but from inside the Labour Party. It is by infusing new ideas into the Labour Party alone that the mass of the people may be converted to truly Leftist programme, otherwise not. But the efforts at communist infiltration into the Labour Party and at the establishment of a popular front failed in the past. We do not know if they will succeed now.

New Scheme of Controlling Colonies

Will the Colonies which now produce raw materials and as such are part of the White man's burden be released from external control and set on their own legs after the war? There does not appear to be any prospect of it. The Atlantic Charter has no significance for them. There have been of course many pronouncements both by experts and by responsible politicians regarding the future status of the colonies. But none of them refer to their independence after the war. All that has been stressed so far is that the people of these Colonies should be treated more humanely and that the raw materials they produce should not be monopolised by one country but should be available to all manufacturing countries. In order that these two ends may be gained, people are already busy with formulating schemes. One has been published by Lord Hailey, formerly of the Indian Civil Service. He is of the view that one or more colonies should form a region and that in each such region there should be an advisory committee consisting of the representatives of the country which may dominate it politically as also of other important and interested countries. This Committee is to see to it that the region is well governed and that the raw materials are properly distributed. If such a plan of control is adopted, the Colonies will have, instead of one, many masters.

Solution of Minority Problems in the U.S.S.R.

Recently H. G. Wells paid a handsome tribute to Stalin for the satisfactory and effective manner in which the Soviet Government has solved the minority problems in the Union. Not many months ago the same Mr. Wells placed the head of a prominent Indian nationalist on a charger because of his advocacy of the Indian national demand. Wells at that time did not notice any such unit on the map of the world as India. It was to him only a continent or a sub-continent inhabited by warring groups and communities who would divide this country and form separate states at the first flashing of the news of British withdrawal. Now that he has appreciated the solution of the serious minority problems in the U.S.S.R., he may possibly take it that the Indians left to themselves may also solve their own minority problems on an equally satisfactory basis.

In Czarist Russia the policy of the Government was to ensure the predominance of the Russian element in the far-flung empire which contained within it many other national groups as well. The Czar and his advisers did not believe in giving these other groups any quarters. The latter were not to be encouraged in any way in the promotion of their own civilisation. On the contrary every thing was to be done to stifle the growth of their languages and the development of their local manners and customs. All attempts were in fact made to Russify the different minority groups in the empire of the Czars. The result was not only the degradation of these minorities but the creation of a permanent thorn on the side of the empire's integrity. These minority groups could never be reconciled to the government of the Czars; they looked forward to its downfall with eager expectation.

The Revolution let loose new forces and ideals. Lenin made it a first principle of his Government that none of the territorial groups would be kept in the Union by force. The Communist Party which worked in all the units was

of course a common factor and a uniting link and would not allow very easily the falling away of these units from the Union. But in any event Lenin believed that their adhesion if it was worth anything must be voluntary. Secondly, he was emphatically of the view that ardent efforts must be made to develop a communist civilisation among these minority groups on the basis of their local languages and cultural traditions and customs. Stalin who himself belonged to such a minority group was appointed the Commissar of Nationalities and it was he who laid down the foundation on which the minority problems have been solved in the Soviet Union.

The Union is divided in the firsf instance into a number of units called the Union Republics. They are all territorial national groups. There are again within the boundaries of such Union Republics other national groups which also had to be treated separately. To this end they have been given the status of autonomous republics, autonomous regions and national areas. In the Soviet of Nationalities of the Union, the second Chamber of the National Parliament, all the Union Republics are equally represented irrespective of their population and territorial strength. Each of them has twenty-five members in this house. The autonomous republics have been given eleven members each, autonomous regions five each and national areas one each. The lower house of the National Parliament, namely the Soviet of the Union, represents all parts on a strictly population basis. But the different national groups being adequately represented as such in the Soviet of Nationalities have their interests properly safeguarded.

The languages of the minorities have been given every facility for development. The people of these groups have to study Russian as a compulsory language but this they learn in addition to their own and they receive their instruction in schools through the medium of their own tongue. Local traditions, festivals and customs are carefully fostered, provided of course they are not inconsistent with the new communist civilisation. This policy of appeasing the minorities has proved so effective as to make false all calculations in other countries regarding the attitude which the minority groups might take up towards the Union Government in case of an invasion from without. For long it had been for instance widely believed not only in Germany but in other countries as well that Ukraine would fall off from the Union as soon as the Germans would cross the frontier. Nothing has been a greater delusion than this. Today the U.S.S.R. is a mosaic of many cultures, kept strongly together by the cement of the Communist Party and the consciousness of real and effective services rendered by the Union Government to the growth of a new life in all areas

New Treaties with China

An Anglo-Chinese and a Sino-American Treaty have been recently signed at Chungking. They have abrogated the provisions of the old unequal treaties which the Chinese Government had to sign during the last hundred years mostly under duress. Rights of extra-territoriality which Britain and the United States among many other countries enjoyed in China are certainly the foremost of the concessions which have now been withdrawn by the recent arrangement. They disfigured for long the relations between China and these countries, and it is good that they have now been done away with. The origin of extra-territoriality is controversial. The Chinese have all along declared that this right was extorted from their Government by the foreigners. The latter, however, have tried to prove that it was the Chinese Government which declared the foreigners outside the pale of their law and thereby compelled them to make their own arrangement. In any event by the right of extra-territoriality the foreigners either as accused in a criminal case or as defendants in a civil suit could not be brought to trial in a Chinese Court. They could be tried only under

their own laws and by judges of their own nationality. The sovereignty of the Chinese State was thus attacked and undermined in a vital part. It may be of interest to state that in Turkey and Japan also the foreigners had claimed and exercised these rights of extra-territoriality. In the latter country they were withdrawn before the close of the last century and in Turkey by the Treaty of Lausanne.

The second important concession which the foreigners enjoyed and which not only undermined Chinese sovereignty but strangulated Chinese economic progress was in the field of tariff and its administration. The Chinese Government had to accept foreign goods at a low and fixed tariff duty. Besides, it was required to appoint a foreigner as an Inspector-General of the Customs Service and assign to him the responsibility of managing the customs houses. These rights have also been abrogated by the new treaties.

We have related above only two important aspects of an intricate problem which has been, we understand, satisfactorily dealt with in recent conversations and in the treaties in which they have culminated. It is good that Great Britain and the United States have made this gesture of equality to the Chinese people and Government.

Statistical Conference

Dr. Bidhanchandra Roy, Vice-Chancellor, Calcutta University, opened the Statistical Conference which was recently held at Calcutta under the presidentship of the Hon'ble Mr. Naliniranjan Sarker. Mr. Sarker in his address stressed the importance of an intensive study of statistics in this country. He pointed out that all the committees which are appointed to enquire into specific economic problems suffer from the absence of necessary statistical data. He referred in particular to the Royal Commission on Agriculture, the Jute Enquiry Committee, the Paddy Committee and the Bengal Land Revenue Commission. Possibly their labour would have been less arduous and their conclusions more trustworthy and effective if the science of statistics had been cultivated more diligently before. But better late than never. The University of Calcutta has already made arrangements for a full-fledged course of study in statistics and it is expected that some other Universities also will undertake the teaching of the subject in a comprehensive manner.

Findlay Shirras Lectures on India

Mr. Findlay Shirras was in the Indian Education Service and the Principal of the Gujarat College at Ahmedabad. His two works on Indian Currency and Finance and Public Finance were at one time text-books for students in Indian colleges. But though long associated with Indian youth, he did not develop much sympathy for Indian ideals and aspirations. Years ago his contributions to the American press on Indian affairs elicited rebuke and censure from Indian public. They were evidently interpreted as anti-Indian. Recently he delivered a course of lectures on the Indian situation at Oxford. His audience was the Trans-Atlantic Servicemen, *i.e.*, soldiers from Canada and the U.S.A. He has tried to bring home to them that the only impediment to political progress in India is the rivalry among different communities. This is of course quite in consonance with the tone of the speeches delivered at frequent intervals by the present Secretary of State. But we are not certain if the arguments of Mr. Shirras will appear very convincing to the Trans-Atlantic Servicemen at Oxford. In Canada the rivalry between the British settlers and French Canadians is not less keen and the differences between them are not less pronounced. But still they have not been an argument against Dominion autonomy. The United States again is *par excellence* the land of diverse communities and groups. But still

the country is independent. It is time for the thinking section of the British public to cry a halt to this kind of propaganda. It is evidently being overdone and may overreach itself.

President Lowell

The death of A. Lawrence Lowell has been announced. He was for years a Professor of Government and then the President of the Harvard University. It was in this latter capacity that he was known for nearly a generation throughout the world. His reputation as a scholar and author was international and his books were read with avidity in every country. Early in his career he wrote his Essays on Government which were followed by his collaboration with Morse Stephens in writing a monograph on the Colonial Civil Service. In the United States there was a reaction in the last quarter of the 19th century against the spoils system and a movement was set on foot for reforming the Civil Service and taking it out of politics. As an earnest of this movement the Pendleton Act was passed in 1883. Lowell wrote his book to enlighten his countrymen as to the rôle of the Civil Service and as to the right methods of its recruitment. He then studied at first hand the political organisation of the continental countries of Europe and then of Great Britain. The results of this close and elaborate study were published in four volumes during the next one decade and a half. Two of these volumes covered the continental countries and the remaining two Great Britain. Clarity of ideas and style was the keynote to the success of these volumes. Even today when the political face of Europe has been changed almost beyond recognition, the two volumes which he wrote in the last century upon it may be read with great profit.

Some Books

Emil Ludwig who writes biography in a new style and who has been for some years an exile from Germany has published a book on Stalin. For quite a long period he has assiduously studied not only the policy of Stalin and the traits of his character but the evolution of the Soviet Union in all its aspects. This work has, however, not been as good a success as his books on Napoleon or Lincoln. The American Civil War continues to interest scholars and writers. Lincoln personally has also an inexhaustible charm and nobody thinks that he has ceased to be a fitting subject for a scholar to study. The Yale University Press has recently published a book on Lincoln and his party in the secession crisis. Allen and Unwin have presented us the *Diary of a Diplomatic Correspondent* of George Bilainkin. It is welcome for its references to the two diplomats, namely, M. Maisky, the Russian Ambassador in London, and Joseph Kennedy, the former American Ambassador in the same city. The reaction of the German blitz upon Kennedy as recorded in the *Diary*, is particularly interesting. We have referred above to Ludwig's Stalin and may mention here another of the many impressions recorded by foreign journalists upon Russian resistance—*Russian Glory*, by Philip Gordon (Cresset Press). Lord Lytton's book—*The Governor of an Indian Province* (Peter Davies)—is likely to be read with some interest in India, particularly Bengal.

How U.S.A. fosters Pan-Americanism

The U.S.A. had long dominated the Central and South America through economic and financial means. But it has now been brought home to Washington that it is not enough for the U.S.A. to control the economic life of these countries. If their collaboration is required—and it is badly required—it is essential that the policy of persuasion must be adopted. To

this end in fact the U.S.A. has been trying for the last few years. Pan-American Conferences have been held in different capitals and Pan-American problems have been discussed therein at short intervals. A permanent organisation of this Conference has also been set up at Washington. In order that the people of the United States may know more of Latin America and Latin Americans may know more of the United States, several cultural steps have again been taken already and they may prove effective in the long run. In the first place, Spanish and Portuguese, the two languages of Latin America, are being given an increasing importance in the curriculum of studies in the universities and other educational institutions and secondly a large number of Roosevelt Fellowships are now offered to Americans for study in Latin America. It is expected that these steps will gradually strengthen the cultural bonds between North and South America and improve their relations.

A Course of Study in Architecture

The enthusiasts in the field of Architecture have been for sometime in favour of introducing in Indian Universities a course of study on the subject. Recently in Calcutta a meeting was held at a private house under the chairmanship of Mr. Justice Biswas. A number of prominent men including Mr. Justice Edgley, Dr. R. C. Majumdar, Professor Meghnad Saha, Mr. O. C. Gangoly, Mr. Debiprasad Khaitan and Mr. Srischandra Chatterjee participated in it. They advocated the establishment of a Post-Graduate Department of Indian Architecture in the Universities of India. We believe the movement thus set on foot will gather strength and attain success.

Reviews and Notices of Books.

Oxford Pamphlet No. 59 : *Who Mussolini Is*, by Ivor Thomas, M.P.—It gives an accurate and brief account of the life and doings of Mussolini up to the middle of 1942 and tells the reader how from a socialist and a better enemy of the monarchy and the church he transformed himself into the founder of Fascism and the dictator of Italy. The very last sentence quoted here shows the angle from which the pamphlet is written : "He is already paying for his own crimes in his mind. But nothing he has suffered, or will suffer, is comparable with the wrongs he has inflicted on his own people, on the Ethiopians, Spaniards, Albanians, and Greeks, and by his contagious example of successful perfidy, on the rest of the world."

Oxford Pamphlet No. 60 : *War At Sea To-Day*, by Admiral Sir Herbert Richmond.—Popularly written, this short and valuable pamphlet presents to the layman the latest ideas on naval strategy. The correctness of some of the opinions expressed here has been recently proved by the landing of the Allied forces in Western Africa.

Oxford Pamphlets on Indian Affairs No. 1 : *The Cultural Problem*, by A. J. Appasamy, Sir Abdul Qadir, R. P. Masani, Sir S. Radhakrishnan and Sir Jogendra Singh.—This double pamphlet with contributions from distinguished members of the Hindu, Moslem, Sikh, Parsi and Christian Indian communities is valuable as giving what may be considered their typical reactions to the cultural problem. While each writer has given expression to his individual views, what is noteworthy is their broad agreement on the fundamentals of Indian unity.

Oxford Pamphlets on Indian Affairs No. 7 : *Social Problems*, by S. Natarajan, Editor, "Social Reformer," Bombay.—Dealing with our social problems under three heads, *viz.*, the structure of Indian societies, the status of women and the problems of industrialisation, the author points out the changes which have come over them as the result mainly of our contacts with the West and closes with the expression of the opinion that only a strong Central Government will be in a position to introduce social legislation on a national scale.

H. C. MOOKERJEE

Barsha-Shesha (pp. 50) and **Basundhara** (pp. 43).—By Mr. Chanchalkumar Chatterji. Published by the Author.

These two books of poems embody the literary efforts of the author who is just making his mark in the domain of Bengali literature. The former was published about four years back, and the latter came out only this year.

A large variety of literary form is to be met with in the contents of these two volumes—Sonnet, quatrain, the traditional *payar*, blank verse, etc. The author has on occasion introduced striking metrical variations and his experiments have been fairly successful.

The impress of contemporary life is clearly discernible in the poems. Its "sick hurry and divided aims" and its discontent furnish the inspiration in most of these. The evils of our social and economic systems, the vulgarity of current taste—the cupidity of the richer classes, side by side with the depravity of the proletariat—misapplication of science and misdirection of human ingenuity—form the themes of most of the poems. Commercial and industrial civilization is the target of the poet's flings. The crisis in modern civilization is keenly felt by him and his grievance against it is sincere.

The author often refers to the modernist note of discontent in Ezra Pound and T. S. Eliot whose views have largely influenced him. Social cohesion, he believes, is vanishing, and anarchy must follow in every sphere of life. Old moral and spiritual values are no longer recognised and our scepticism and moral torpor find expression in his bantering tone.

But no remedy to the evils depicted has been suggested, and the author cannot visualise a new order, unless it is suggested that the panacea for every evil is to be found in equal distribution of wealth. (This by the way is not always equitable.)

Some of the poems, however, have an exclusively literary appeal. The author's love of European literature is revealed in the selection of his themes. "Odysseus," "Medea," and "Cassandra" in *Basundhara* mark a departure, in one respect, from the literary tradition of the past. Poems on current topics like "Czechoslovakia," "Private Property," etc., in *Barsha-Shesha* are also worthy of notice from this point of view. It may be admitted that all topics—and especially topics like these—do not lend themselves easily to poetic treatment. But it is to be hoped that the author will gradually master the necessary technique.

M. M. B.

Permanent Settlement and After.—By Birendra Kishore Raychowdhury, M.L.C. Published by the Book Company, Ltd., Calcutta. 1942. Pp. 85. Price Re. 1-8.

The recommendations made by the Bengal Land Revenue Commission of 1938 are of a far-reaching character. They are calculated to produce revolutionary change in the land system of the country. They have excited wide-spread comment and we are all anxious to know what steps, if any, the Government will take to give effect to these recommendations. In the mean time a publication which attempts to throw light on some of the most intriguing facets of the problem must be welcome.

This small brochure is the work of a member of the Bengal Legislative Council who also belongs to a well-known zamindar family of the Province. At a time when the whole atmosphere is so anti-zamindar, the auother has taken considerable pains to present the case on behalf of the zamindars with a commendable amount of fairness and justice.

At the outset the author wants to dispel the idea current in many quarters that the zamindari system is the creation of the East India Company and that it dates from the Settlement of 1793. He has shown that the zamindari system has existed in one form or another in the province almost throughout its history. That land before the Permanent Settlement was the property of the zamindars was also admitted by most of the responsible officers of the company. The Permanent Settlement Regulation itself recognised the proprietary rights of the zamindars in an unqualified manner.

Taking advantage of a clause inserted in the Regulation, known as the welfare clause, the Government began to advance further and further the rights and privileges of the tenants and undermine to a corresponding degree those of the zamindars. The relations between the zamindars and tenants came to be radically transformed by a series of legislative measures beginning with the Rent Act of 1859 and culminating in the Bengal Tenancy (Amendment) Act of 1938.

The theory has often been advanced that the zamindars have contributed very little to the extension of cultivation in Bengal. But Sir N. R. Chatterjee in the course of his evidence before the Commission has amply demonstrated how untrue that theory is. Not only in the field of land reclamation and agricultural development but also in other spheres their contribution has not really been negligible. The opening of *hats*, the supply of drinking water, the maintenance of hospitals and dispensaries, schools and colleges, the fight against recurring

famines—all these figure prominently in the history of the Bengal zamindari system. Without the existence of the zamindar class, the growth of a strong independent and cultured middle class would not have been possible in Bengal.

The abolition of the Permanent Settlement and of the zamindar class has been demanded in the interests of the tenants who are supposed to be suffering from various evils under the present conditions. But it would not be correct to attribute the economic plight of the Bengal peasants to the zamindari system alone. The growth of population and the consequent pressure upon land, the prevailing laws of inheritance, the subdivision and fragmentation of holdings, the lack of credit facilities—these are the main difficulties from which the tenant population suffers, but these have not been created by the zamindars, nor have they emerged out of the zamindari system.

It has been argued that the abolition of the Permanent Settlement would considerably increase the income of the Government from land revenue. But the Finance department of the Government itself in the course of their reply to the Commission, were emphatic that state purchase of zamindaris could not be looked upon as a bringer in of large revenues. If a fair capitalisation basis of compensation is accepted there cannot be any profit to the Government out of the purchase.

To obtain the necessary sums to buy up the zamindaris, the Bengal Government will have to float a large loan. The present Government have no experience of such a huge loan operation. The advice of the Reserve Bank would have to be sought not only in the matter of floating the loan but also in the matter of its amount, period, rate of interest, etc. The Government will also have to consider the effect of a big loan, if taken in one lump for such a purpose on industrial finance, on the money market and on the circulating media. There can, of course, be no question of floating such a loan during the War.

Mr. Gurner, in his Report on the proposals of the Land Revenue Commission, has also concluded that the prospect of financial profit out of the transaction is illusory at any rate for many years to come unless the measure is accompanied by such a degree of expropriation as would prejudice the likelihood of its ever becoming law.

As regards the Commission's recommendation for the imposition of an agricultural income tax as an *interim* measure, our author argues that what the zamindars pay as revenue to the Government is nothing but a tax upon the income which they derive from rent. If a tax on agricultural income were imposed the zamindars would not only suffer from double taxation but also from other grave injustices. They have been paying in addition to the land revenue, roads and public works cesses for more than 70 years and also an education cess for the last four years. Even Mr. Gurner has not felt very enthusiastic about the proposed taxation on agricultural income.

Mere replacement of private landlordism would certainly not be a panacea for all the ills. State landlordism exists in many parts of Bengal but they are languishing for want of a vigorous policy and are on the showing of the Commission itself worse situated than private zamindaris. While the Commission has recommended state purchase of zamindaris, it has unfortunately failed to envisage a bold and forward policy with regard to tenancy legislation, management of the estates and economic rehabilitation of the country. The author has rightly observed that the zamindars too on their own part should move in the matter. They should explore the possibility of forming limited companies for better management of estates and for more efficient collection of dues with a large number of contiguous estates as constituent members. To supplement their incomes they may turn to industrial ventures. In agriculture also there is yet a considerable field hitherto unutilised. Vegetable and fruit gardening at once suggest themselves as useful and profitable lines. In these days of the grow more food campaign, the management and establishment of farms by the zamindars will not only help the movement but also help themselves.

S. K. Basu.

The Theory of Motion in Plato's Later Dialogues.—By J. B. Skemp, M.A. Published by the Cambridge University Press. 1942. Pp. xv+123.

The present essay, as the writer says, has grown out of the thesis submitted by him to his college in 1936. He "takes account of the work of" Professor A. E. Taylor and Professor Cornford, but in an independent and critical spirit.

Emerson said about a century ago, "Plato is philosophy, and philosophy is Plato,—at once the glory and the shame of mankind, since neither Saxon nor Roman has availed to add any ideas to his category." There may be a tinge of exaggeration in the statement, but the fact remains that twenty-three centuries have not yet exhausted Platonic studies. Mr. Skemp's book is an interesting addition to them. It consists, besides the Introduction, of eight chapters, in the first five of which the author discusses Plato's later philosophy of motion, and his indebtedness to his predecessors, the Ionian philosophers, the Pythagoreans, Empedocles and the medical writers. The remaining chapters are mainly devoted to the discussion of the theory of *Kinesis* (motion) as found in the *Timaeus*, one of the most difficult dialogues of Plato, difficult not in its language, in which he is soul-enrapturing as ever, but difficult of interpretation, in which there is room for wide divergence. There was no science of Kinetics in Plato's day. The author, therefore, does not enter upon a mathematical examination of Plato's theory of motion. The *Timaeus* is, in fact, a book of Genesis, a hymn of creation, a poet's cosmology, which may be contrasted and compared with the celebrated *Nasadiya Sukta*, Hymn 129 in the Tenth *Mandala* of the *Rigveda*. The dialogue has special interest for an Indian reader, inasmuch as it approaches and touches the *Vedanta* at many points. The following extracts may prove interesting :—

"To call the ultimate α'ρχηκινη'σεως (arche kineseos=beginning or cause of motion), πατηρ (pater=father) as well as δημιοωρχος (demiourgos=the Maker of the world) implies therefore a development of the earlier view that ψυχη' (psyche =soul) without qualification is such an 'αρχη' . . . That this precosmic soul is there to receive the ordering creative activity of the δημιουξχ'ος seems indeed to be the teaching of the *Timaeus*." (p. 112.)

"Plato's God is external (to the universe) too in the sense that he is the perfect spiritual activity implied by, but nowhere fully revealed in, the universe : at the same time he is immanent, in the sense that the life of the universe is *his* life just because his activity is necessarily . . . one that goes outside himself, is necessarily a projection of himself. To identify him with ψυχη' would be to deny his transcendence or externality, since ψυχη' is a principle operative only in the realm of κινησις and γενεσις (genesis=generation, production) and thereby to deny his perfection, since perfection cannot belong to the realm of κινησις and χε'νεσις. (p. 113.)

"But only God is δημιονργος and πατηρ (creator and father). In him alone is the perfection which the rest gain or miss according to their moral insight. He is above time in the sense that there are no "instants" in his life. Of other embodied souls this cannot be said ; but the statement that they can be dissolved only at God's bidding implies for them a kind of "new creation every instant" by the Father, to borrow the language of Descartes in the *Third* Meditation." (p. 114.)

The author commands an easily flowing style, suited to lucid exposition.

A comparative study of Plato and the *Upanishads*, together with the *Vedanta* philosophy would be a valuable and much needed contribution to Platonic literature.

RAJANIKANTA GUHA

Ourselves

[*I. Sir Manmathanath Mukherji.—II. Professor J. N. Mookherji and Soil Research Work.—III. Royal Asiatic Society of Bengal.—IV. Professor S. N. Sen.*]

I. Sir Manmathanath Mukherji

Sir Manmathanath Mukherji who died recently at his Calcutta residence was intimately connected with the University for a number of years. Since 1932 he served it as an ordinary Fellow and for some time he was also an *Ex-Officio* Fellow in his capacity as the Chief Justice of the High Court of Judicature, Bengal. During his period of Fellowship he was for some years the President of the Board of Studies in Law and was a member of the Faculties of both Arts and Law. He enjoyed a great reputation as a scholar and jurist and the University of Calcutta invited him to deliver the Tagore Law Lectures for the year 1935. By his death the country has been deprived of an upright public man and the world of law a great jurist.

* * *

II. Professor J. N. Mukherjee and Soil Research Work

Recently Professor J. N. Mukherjee of this University received a communication from the Senior Geologist of the Burmah Oil Company Ltd., Digboi, to the effect that in appreciation of the Soil Research which he was carrying on in the Calcutta University Laboratory, the General Manager of the Company would place at his disposal Rs. 1,000 for the purchase of necessary pieces of apparatus and a Scholarship of Rs. 100 per month to be awarded to a Research Assistant for furtherance of work in this field. The offer of the General Manager of the Company has been accepted by the University with thanks.

* * *

III. Royal Asiatic Society of Bengal

We are glad to learn that Dr. Syamaprasad Mookerjee has been elected to be the President and Dr. Kalidas Nag the General Secretary of the Royal Asiatic Society of Bengal. This body, ever since its establishment in 1784, on the initiative of Sir William Jones, has filled a very important rôle in the cultural life of this country. We are confident that,

with Dr. Mookerjee at the helm, the Society will have a new usefulness as a centre of learning and culture.

* * *

VI. Professor S. N. Sen

Dr. S. N. Sen, Asutosh Professor of Indian History of this University, who has been the Keeper of the Records of the Government of India for nearly four years, has recently been appointed by the University of Delhi the Honorary Professor of History and the Head of its Department of History. Dr. Sen will serve the University of Delhi in this capacity in addition to his work as Keeper of the Records. One of the important purposes of Dr. Sen's appointment as University Professor of Delhi is, we understand, to reorganise the historical studies of that young University.

THE
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THE FIRST ALL-INDIA HARTAL

H. C. MOOKERJEE, M.A., PH.D., M.L.A.

FROM what has appeared previously, it is evident that Satyagraha Sabhas had been organised in every large and important centre in our motherland by the time Mahatma Gandhi had reached Madras in his All-India tour to induce urban and rural India to take up the agitation against the Rowlatt legislation. It was during his stay here that the Rowlatt Bill was passed in the Imperial Legislative Council in the teeth of universal Indian opposition. Mahatma Gandhi was the guest of Shree Chakravarti Rajagopalachari at this time and we are told in his autobiography how he, his host and their friends and sympathisers discussed various plans for conducting the struggle against the British administration in the spirit indicated in the Satyagraha pledge which had been taken by thousands.

The only programme which had suggested itself was to hold meetings but it was very soon realised that this would not carry them far. This method had been tried and had already failed. The British administration had persisted in its policy inspite of the thousands of meetings and of the resolutions passed in them against the Rowlatt Act. Familiar with the methods of agitation hitherto followed in India principally under Moderate leadership, those people felt justified in the opinion that India would submit to the imposition of the Act after entering a more or less vigorous protest.

ORIGIN OF THE HARTAL IDEA AND ITS TECHNIQUE

Mahatma Gandhi tells us that he went to sleep with a greatly disturbed mind after news had been received in Madras of the publication

of the Rowlatt Bill as an Act. He woke up rather earlier than usual towards the small hours of the next morning and while "still in that twilight condition between sleep and consciousness," all of a sudden the idea of starting it with a hartal on an All-India scale flashed on his mind.

On the 6th August, 1919, there was a debate in the House of Lords on the administration of martial law in the Punjab with special reference to the sentence passed on Lala Harkissen Lal, who later became a Minister under Dyarchy, when Lord Sydenham after referring to the "rising" in the Punjab and stating that it was the most dangerous outburst of anti-British feeling since the Indian Mutiny said, "As to the closing of shops, I do not know whether he (the previous speaker, Lord Russell) is aware that in India this (hartal) is always a signal for riot. When shops are ordered to be closed, you know riot is at hand." Lord Sinha as Under-Secretary of State for India repudiated in the most emphatic of terms the suggestion that a hartal is a sign either of a rebellion or of a riot.

Lord Sydenham who had at one time been Governor of Bombay and was supposed to be familiar with Indian conditions should not have allowed his imagination to run away with him, thus misleading public opinion in England. As a matter of fact the instructions for the hartal were as follows:

"(*i*) A twenty-four hours' fast counting from the last meal on the preceding night was to be observed by all adults, unless prevented from so doing by considerations of religion or health. It was to be regarded, for the Satyagrahis, as the necessary discipline to fit them for civil disobedience contemplated in their pledge, and for others, who had not taken the pledge but who at the same time sympathised with the movement, as some slight token of the intensity of their wounded feelings.

"(*ii*) All work, except such as might be necessary in the public interest, was to be suspended for the day. Markets and other business places were to be closed. Employees who were required to work even on Sundays might suspend work but only after obtaining previous leave.

"(*iii*) Public meetings were to be held on that day in all parts of India, not excluding villages, at which Resolutions praying for the withdrawal of the Rowlatt legislation were to be passed."

The idea was that an All-India hartal would at once concentrate the attention of India as a whole on the dangerous implications of the Rowlatt Act, and, if successful, would compel the administration to recognise the fact that opposition to it which had come from the Indian members of the Imperial Legislative Council had the backing of the whole country behind it irrespective of caste, creed and race. In this particular

instance, the hartal was a sign of mourning for the passing of the civil liberties of India.

The news that the hartal would commence with a fast accompanied by a purificatory bath astonished the older type of Indian politicians and perplexed non-Indians, official and non-official. Sceptics wondered whether the first demonstration of Indian nationalism on an All-India scale would be successful and, if so, what tangible political results could be expected to flow from it. While acknowledging the novelty of the technique, many Indians condemned it and prophesied its failure. Many non-Indians indulged openly in sneers.

All these people failed to recognise the appropriateness of the suggestion coming as it did from one who believed in the supremacy of soul force and who had therefore prescribed certain methods already familiar to India for promoting it among his followers.

The Alteration in the Date of the Hartal

In his autobiography, Mahatma Gandhi has told his readers that after the idea of initiating the All-India agitation against the Rowlatt Act with a hartal had suggested itself to him, he, in consultation with his host Shree Rajagopalacharia and other friends, had drafted a brief appeal in which the date fixed for the hartal was March 30th, 1919. Due notice of it was sent everywhere. It was, however, realised very soon that the interval between the sending out of this notice and the date fixed for the hartal was not long enough to enable the leaders to convey information about this matter to the public in such a manner as to reach it to every nook and corner of India.

The result was that the 30th March, 1919, was observed as hartal day in certain areas in Upper India such as Delhi, Amritsar, Multan, etc., where the leadership was strong and militant and where the instructions issued had been received promptly while there was no hartal in other and less accessible parts. Sir Michael O'Dwyer who resented this manifestation of public feeling held Dr. Kitchlew, a Mussalman, and Dr. Satyapal, a Hindu, responsible for the success which had marked the hartal at Amritsar and orders were passed on them on the 4th April, 1919, forbidding them from addressing public meetings. This may be regarded as marking the beginnings of that public irritation on which, fomented by the ill-advised steps taken by the Punjab Government to stop the constitutional expression of public feelings led to the series of unfortunate incidents which culminated in the firing at Jallianwala Bagh and the imposition of martial law in the Punjab.

THE DELHI HARTAL OF 30TH MARCH, 1919

At Delhi, too, there were two leaders, a Mussalman, the well-known nationalist Hakim Ajmal Khan, and an Arya Samajist, the equally famous Swami Shraddhanand. These were so influential that in his autobiography Mahatma Gandhi had said that "their word was law" and that "the Hindus and the Mussalmans seemed united like one man."

These leaders, in obedience to the instructions received by them, made arrangements to observe Sunday, the 30th March, 1919, as a day of humiliation and prayer as a protest against the passing of the Rowlatt Act. In order to prepare the public for observing the day in the Satyagraha spirit, a number of meetings was held in the preceding week. The assistance of the local vernacular papers was also sought to give publicity to their plans. Volunteers visited Indian shops and persuaded the owners to keep them closed on the 30th March.

A large majority of the shops were closed on the morning of the 30th March, and the few which were opened here and there were closed as soon as the organisers explained to the owners the propriety of doing so. People using tram cars, hackney carriages and motor cars were requested to get down and did so. All this was done a little after 9 A.M. Be it noted that only Indians were approached in this way.

Some of the less discreet among the workers next proceeded to the railway station and tried to persuade the station shop-keepers to close their shops which they refused to do on the plea that, by the terms of their contract with the authorities, they were bound to keep them open. There was a fracas in which some of the plates of the sweetmeat vendors were thrown on the platform and their contents scattered. On this, the railway police took two of these into custody. This happened at about 10-30 A.M.

When these facts became known, other demonstrators went to the station and asked for the release of the two who had been arrested. They stated that the sergeants and other railway officers caned them severely which ended in assaults on both sides. Meanwhile, the crowd had grown and the help of the Additional District Magistrate was sought. He arrived at the spot at about noon with a small military force and a machine gun. When the crowd refused to disperse, the machine gun was fired in the air and when this did not have the desired effects, it was fired at the crowd. A few were killed and more wounded. According to the statement issued by Swami Shraddhanand among the killed were a railway passenger and a woman.

The crowd withdrew to the Clock Tower in Chandni Chowk where large numbers had already gathered to take part in a procession which

was to start from the Queen's Garden. The military guarding the municipal buildings situated here shot at the crowd with revolvers and killed and wounded a few more.

Swami Shraddhanand hurried to the railway station as soon as he heard about the firing. From there he went to Chandni Chowk pacifying the people on the one hand and smoothing down the ruffled feelings of the authorities on the other. He was successful to the extent that the military officer withdrew his men and a crowd of over ten thousand was allowed to assemble. Later on, the Chief Commissioner and the District Magistrate with the military arrived on the spot. Swami Shraddhanand explained to the first of these that the meeting was held to protest against the Rowlatt Act and guaranteed that it would be over by 6 P.M. The people assembled there also assured him that they would remain peaceful. The Chief Commissioner went away after instructing the military not to interfere so long as these undertakings were observed. The meeting terminated at 6 P.M., after passing a resolution of protest against the Rowlatt Act and making arrangements for sending a cable to the Secretary of State for India against it.

A reference and no more has to be made here to the threat to shoot Swami Shraddhanand when he was leading a number of people away from the place of meeting but there cannot be any doubt that by the act of baring his chest to the rifles of the military, he showed a rarer type of courage than that displayed by the ordinary soldier who, when he fights, is generally full of excitement and occasionally drunk either with alcohol or the lust for blood.

Even now, there is sharp difference of opinion as to the number killed. The popular account states that on the morning of the 31st March, 1919, two dead bodies were handed over to those who claimed them and that the same evening five more were made over. It was also stated at that time that the body of a Mussalman who had been killed was removed to an adjacent mosque by the people and that the demand of the police to make it over to them was refused. This makes a total of eight deaths in all. According to the official account, only five were killed—three Hindus and two Mussalmans and about twenty wounded.

Gandhiji when informed about the casualties caused by the firing said that the crowd when ordered to do so should have submitted and dispersed though he was inclined to the opinion that probably more force was used than was actually necessary. Far from feeling depressed by the sufferings undergone by the people, he declared that " for Satyagrahis, it was not a bad beginning. No country has ever risen, no nation has ever been made

without sacrifice and we are trying an experience of building up ourselves by self-sacrifice without resorting to violence in any shape or form."

In a wire sent to Swami Shraddhanand, Mahatma Gandhi suggested that it was unnecessary for Delhi to have a second hartal on the 6th April, 1919. The sufferings undergone by the people had, however, roused a pugnacious spirit which manifested itself in a second, a more successful and an absolutely non-violent hartal, information about which is supplied below.

The local authorities committed a blunder by "enrolling a number of leading citizens as special constables, though these persons were not called on to render any services" ("India in 1920," p. 215). This, it was contended, was a punitive measure aimed at hurting the feelings of some prominent agitators of position and a broad hint as to what they might expect if they proved too troublesome. That this is true or very nearly true is evident when we remember that loyalists holding the same position were exempted and that there was no occasion for requisitioning the services of the former as special constables. Many nationalists are of the opinion that this gratuitous insult offered to their leaders is one of the remote causes of the outbreak of what violence was manifested at a later stage.

Delhi from 31st March to 4th April, 1919

The 31st March, 1919, found Delhi in mourning. Funeral processions carrying the dead bodies of those killed the previous day and attended by thousands went to cemeteries and burial grounds with a mournful solemnity never to be forgotten by those who were present there. These were followed by the military with machine guns.

On the 1st April, 1919, the local leaders visited the different quarters exhorting the people to open their shops and to resume their normal business activities. These efforts were successful but only for the time being, for the appearance of the military near the Clock Tower, the business centre, alarmed the shop-keepers who closed their shops at once. The leaders requested the authorities not to exasperate the people further by needless display of the military, stating at the same time that they had detected spies and *agents provocateurs* who were inciting them to violence by inflammatory speeches. The military were withdrawn and for the next two days, the 2nd and 3rd April, 1919, life was normal at Delhi.

On the 4th April, 1919, Colonel Beadon, the Deputy Commissioner of Delhi, convened a meeting of the leading citizens to discuss what steps should be taken to prevent the repetition of the unfortunate incidents

which had happened on the 30th of the previous month. He asked them to circulate a handbill which contained a number of allegations repudiated by the local Satyagraha Sabha. Rightly or wrongly, the people believed that the encouragement given by him had stimulated the nefarious activities of the underlings of the C.I.D. It was also held that he had systematically slighted and insulted the popular leaders and kept Delhi under the heels of the military. People fled and shops were hurriedly closed when, at the end of a stormy meeting, he approached the business quarters.

On the same day, the 4th April, 1919, about 30,000 Hindus and Mussalmans assembled at the Jumma Masjid to pray for the peace of the souls of those killed on the 30th March. Here too, regardless of the solemnity of the occasion, the military with a machine gun were present to prevent disturbance and to maintain law and order. The authorities had apparently failed to realise that, at least for the time being, the death of members of both the communities for the furtherance of a common cause had tended to bring them closer together, the more so because there was unity among their leaders and that on an occasion like this there was not much chance of the outbreak of disorder.

All-India Hartal in Urban Areas

As stated already, in view of the difficulty of conveying timely information to every part of India, with regard to the observance of hartal on an All-India basis, the original idea of holding it on the 30th March, 1919, was abandoned and the 6th April, was fixed for a complete All-India Hartal. The now famous hartal manifesto was issued on the 23rd March, 1919, and was unanimously accepted by the country.

The first hartal had been observed at Delhi on the 30th March, 1919, and had led to the untoward results mentioned previously. The Satyagraha Sabha of this town issued a manifesto calling on the citizens not to observe a second hartal on the 6th April, inspite of which all shops were closed and all business suspended on that date. To keep the people engaged, a meeting attended by several thousands was held at the Fatehpuri Mosque in the *morning* to pray for the dead. At *noon*, there was a second meeting at the Edward Park attended by about a quarter of a lakh in which the principles of Swadeshi and Satyagraha were explained and the people were exhorted to restrain themselves inspite of the gravest provocation. In the *evening*, a third meeting was held in the compound of the house of that prominent Muslim nationalist, Dr. A. Ansari, attended, it was said, by over a lakh. Speeches had to be delivered from eight platforms. It was reported that even then many went away disappointed for

want of accommodation and that the stretch of road between Daryaganj and Jumma Musjid, about half a mile in length, was one solid mass of humanity. Once again, the principles of Satyagraha were explained to the huge audience which was requested to follow them scrupulously. The resolution condemning the Rowlatt Act was re-affirmed and the Secretary of State for India was implored to disallow it.

The behaviour of the people throughout the day was above reproach. There was not a single instance of disorder, proving beyond any doubt that the unfortunate happenings at Delhi on the 30th March were due to nervousness and want of tact on the part of the authorities.

In Calcutta, there was no propaganda to make the hartal of the 6th April a success. The Indian newspapers, however, announced it as also a meeting to be held at the Maidan that afternoon. All the shops, markets and places of business were closed. Even the drivers of bullock carts and hackney carriages observed it. There was an all-day fast accompanied by purificatory baths.

From midday, thousands forming processions from different quarters of Calcutta marched peacefully to the Maidan singing national songs and occasionally shouting "Bande Mataram." By 5 P.M., between one and a half to two lakhs of people assembled at the foot of the Ochterloney Monument. The meeting started half an hour later with Mr. B. Chakravarti, the eminent Congressman, in the Chair. He exhorted his hearers to bear all insults and humiliations calmly, ending his speech with the following words:

"Bear any abuse, any insult, any violence, any suffering even unto death, without hatred, without resentment, as brave men, as martyrs, determined to maintain the truth at any cost. Remember you are resisting the spirit of terrorism by soul-force and by the grace of God victory will be yours."

A resolution beseeching the King-Emperor to withhold his assent to the Rowlatt Act was unanimously carried.

The meeting dispersed peacefully and the police was noticeable by its absence. One of the parties while passing the Bristol Hotel was jeered at by some of its European guests. Some of these threw dirty water and others, probably under the influence of liquor, hurled empty bottles on it. When the crowd got excited, they put out the lights, and, it is said, telephoned the police and the military for help.

Maulvi Akram Khan, editor of the "Mahammadi," and several other leaders who were with the party, succeeded in calming down the crowd by reminding it of the vows that had been taken, with the result that there was no untoward reaction to the rowdyism.

On the morning of the 6th April, nearly all the shops closed and all means of transport except the tramways and a few bullock carts stopped functioning at Bombay. About one lakh who had their bath in the sea at the Chowpaty beach joined the mass meeting convened there to protest against the Rowlatt Act. This was attended by such prominent leaders as Mr. Jamnadas Dwarkadas, Mrs. Sarojini Naidu and Mahatma Gandhi. Two resolutions were passed, one expressing sympathy with the people of Delhi who had suffered on the 30th March, and the other requesting the Secretary of State for India to advise His Majesty to veto the Rowlatt Act.

At the conclusion of the meeting, a procession in which Hindus, Muslims, Parsis, etc., joined was formed and proceeded to Madhav Bag, hitherto reserved exclusively for Hindus, to offer prayers. The crowd dispersed quietly and there was no clash between it and the police.

Under the instructions from the Satyagraha Committee, proscribed literature was sold next day as also the unregistered newspaper "Satyagrahi" edited by Mahatma Gandhi.

This successful hartal at Bombay, the only one noticed in the well-known "Indian Year Book" for 1920, is described there in the following terms:

"April 6th, meeting to protest in Bombay against recent legislation to deal with anarchical and revolutionary crime in India, Mr. M. K. Gandhi addressing a large crowd of people who came to bathe in the sea-face in the morning and a few shopkeepers and gharriwalas keeping holiday in response to his appeal for suspension in business in the city for purposes of prayer and fasting."

This Annual is published from Bombay by the Anglo-Indian "Times of India" and the description of the hartal which appears above shows how incapable people of a certain type are of assessing the importance of political events which happen right under their nose and how careless in supplying correct information some of them can be.

In Madras, from early morning, thousands were observed on the beach taking their bath. These observed a twenty-four hour fast. All Indian shops, bazars, etc., were closed. Numerous parties singing national songs and praying to God for the repeal of the Rowlatt Act paraded the city all through the day. In the afternoon, a monster meeting attended by more than a lakh of people was held at the Triplicane beach and a dozen platforms had to be improvised for the use of the speakers.

Messages from Mahatma Gandhi and Dr. Subramaniya, the venerable leader of Madras, were read. The principles of Satyagraha were expounded. The police did not interfere and the day passed off peacefully.

All shops were closed and all business suspended at Lahore from the morning of the 6th April. No hackney carriage or tonga was plying for hire. The only conveyances used by Indians seen on the streets were some private carriages owned by the landholding aristocracy.

By 9 A.M., there was a small crowd " with mourning badges on their left arms " proceeding towards the Mall and shouting slogans such as " Mahatma Gandhi ki Jai," " Mr. Mahammad Ali, Mr. Shaukat Ali ki Jai, " " Lala Lajpat Rai ki Jai," " Mahatma Shraddhanand ki Jai." It swelled to about a thousand by the time it reached the principal market of the city where it was joined by other groups waiting there. It then directed its steps towards the Mochi Gate shouting " Hindu Mussalman ki Jai, " " Mahatma Gandhi ki Jai. "

It was now that the people took off their caps and *pugris* and began expressing their grief by beating their breast and crying " Hai, hai, Rowlatt Bill, hai, hai " and proceeded towards that great centre of Indian trade at Lahore, the Anarkali Bazar. When it had aporoached King Edward Medical College, it was prevented from proceeding towards the Mall by the Superintendent of Police and several Indian Sub-Inspectors, all on horse-back. The crowd at first refused to obey this order but did so when Dr. Gokul Chand Narang threw his cap at the feet of the crowd and said, " Gentlemen, if you love your country, you should go back to the city." It is on record that cavalry, armed police and two armoured cars had been kept in reserve for punishing disobedience. By 1-30 P.M., the people had dispersed in different directions and calm had been restored.

The protest meeting commenced at Bradlaugh Hall at 4 P.M., but the largeness of the audience made three overflow meetings necessary. These passed a resolution " humbly begging His Majesty the King-Emperor to disallow the measure (Rowlatt Act) as it constituted an immediate insult to millions of His Majesty's law-abiding and loyal subjects in India."

At the end of the meeting, the crowd again formed a procession marching towards the centre of the city shouting " Mahatma Gandhi ki Jai," " Lala Lajpat Rai ki Jai," " Hindu Mussalman ki Jai," beating their breast with mourning cries of " hai, hai " and occasionally halting for listening to speeches condemning the Rowlatt Act.

It is the misfortune of India that she has no effective agency for not only conveying her point of view to the West but also that there are a number of people who, after retirement from her service, feel little hesitation in utilising their reputation as " experts " in Indian problems in not only inducing their countrymen to accept their opinions but also in conveying incorrect information.

For instance, such a responsible person as Mr. J. C. Kerr, C.S.I., C.I.E., M.P., who served as a member of the Indian Civil Service from 1901 to 1929, during ten of which he was connected with that branch of the C.I.D., which deals with anarchical and revolutionary crimes, said in his "Subversive Movements," contributed to "Political India," that the All-India hartal "was enforced in Lahore and other Punjab towns by intimidation and mob violence," against which we have the statement of Sir Michael O'Dwyer, Lieutenant-Governor of the Punjab, made on the 7th April, 1919, that it was observed with such utter absence of anything approaching violence that he felt justified in calling it a "puerile demonstration." All the intimidation mentioned by Sir Michael in his autobiography consisted in some people parading the streets with black flags and certain college students of the Arya Samaj institution at Lahore requesting the few shop-keepers who had opened their shops to close them.

All-India Hartal in Rural Areas

It would be a mistake to suppose that the All-India Hartal of the 6th April, 1919, was successful in the larger presidency towns only. Apprehensions of tiring out the patience of his readers have induced the present writer to give very sketchy descriptions of the hartal in five only of our larger towns. Easily available records prove that the hartal was observed with equal enthusiasm in district, sub-divisional and taluka towns nearly all of which had their Satyagraha Sabhas. Rural people also carried out the instructions received from the provincial headquarters through their local leaders. There was sufficient time for rural India to realise that Mahatma Gandhi, who had grown to be the idol of the masses, had commanded it and his orders were carried out.

Prof. L. F. Rushbrook Williams on page 29 of the report prepared by him under instructions from the Government of India for presentation to Parliament entitled "India in 1919" has given an explanation of Mahatma Gandhi's hold on the masses. Be it remembered that when these lines were penned, Mahatma Gandhi did not occupy that unique position in Indian public life which was his later on:

"Since his stand on behalf of the Indians in South Africa, he has commanded among his countrymen all the traditional reverence with which the East envelopes a religious leader of acknowledged asceticism. In his case, he possesses the added strength that his admirers are not confined to any one religious sect. Since he took up his residence in Ahmedabad in the Bombay Presidency, he has been actively concerned

in social work of varied kinds. His readiness to take up the cudgels on behalf of any individual or class whom he regards as being oppressed has endeared him to the masses of his countrymen. In the case of the urban and rural population of many parts of the Bombay Presidency, his influence is unquestioned; and he is regarded with a reverence for which adoration is scarcely too strong a word."

Evidently the writer of the above lines had failed to realise that the Champaran Satyagraha which Gandhiji had led and reports about which had spread everywhere had made him equally popular in North and East India and that the South also had come to hear of his activities there and in the Bombay Presidency.

Rabindranath Tagore who admired Gandhi, though he did not agree with all his plans or doctrines, explained his influence over the masses in the following terms, "Mahatma Gandhi came and stood at the cottage-door of the destitute millions, clad as one of themselves, and talking to them in their own language . . . . Who else has felt so many men of India to be his own flesh and blood? . . . . As soon as true love stood at India's door, it flew open; all hesitation and holding back vanished. Truth awakened truth."

These two extracts give the reasons for the success of the All-India Hartal in the rural areas into the details of which it is impossible to enter here.

The Success of the Hartal and its Reasons

All the people including members of communities like the Parsis and the Marwaris who ordinarily keep themselves studiously aloof from participation in politics observed the day. From Peshawar to Cape Comorin and from Karachi to Silchar, in the provincial capitals as also in the mofussil towns and even in the villages, Indians, irrespective of caste and creed, suspended their daily avocations and followed the instructions of Mahatma Gandhi, preparing themselves for the hartal by fasting and taking purificatory baths and spending the day in *pujas* and prayers and organising meetings to protest against the Rowlatt Act and to implore the authorities to disallow it. The meetings were attended by thousands in the rural areas and by lakhs in the larger cities. Where there was no interference on the part of the police or the military, the authorities had nothing to do except to look on, as they do on such occasions as the Mohurrum, the Holi, the Durga Puja or the Kali Puja.

This first eminently successful All-India Hartal may be regarded as momentous in the history of Indian nationalism, its importance lying in

the fact that it profoundly touched and very deeply stirred the conscience of India's children, suggesting as it did the quasi-religious factor underlying the struggle. For the first time, all classes of India united in one single effort. As Romain Rolland has said, "India for the first time re-discovered herself."

And yet the success of this hartal was referred to in the following terms on page 34 of "India in 1919":

"The majority of the inhabitants of Calcutta observed the mourning, and in some districts of Bengal the same thing was done. In the large towns of the United Provinces and of the Punjab the hartal was almost universal. In Bihar and Orissa it was confined to Patna and a few other towns; while in Burma, the Central Provinces, Coorg and the North-West Frontier there were practically no demonstrations. In Madras, shops were closed in the presidency town and in certain other large towns, but not much interest was taken in the movement."

All the comment the present writer wishes to make on the above extract is that the reader should refer to the files of the periodicals published at that time, as he has done, when he will find that even bazars in the remotest and most backward areas of India observed the hartal by the closing of shops and the total stopping of all business, that almost everywhere this was preceded by the fast and the purificatory bath and that without exception resolutions praying for the annulment of the Rowlatt Act were passed unanimously.

This is proved by what Mr. B. G. Horniman has said on page 76 of his "Amritsar: Our Duty to India":

"There was participation in the Satyagraha demonstrations of April 6 all over the country by practically the whole population of all the great cities and the smaller towns and to a considerable extent in the villages and country districts."

This gentleman, as the editor of the "Bombay Chronicle," was in close touch with actual facts and the evidence as recorded by him immediately puts out of court all talk about the exercise of compulsion on the part of leaders to make the All-India Hartal a thorough success. No one would care to maintain that it is possible for any set of individuals or any organisation, however strong and influential, to impose its will all over a vast sub-continent like India.

In this connection we have also to remember that the Indian, whether Hindu, Muslim, Sikh, Christian or Parsi, believes in the necessity and the utility of the fast symbolising self-denial and sacrifice and of the purificatory bath standing for outward cleansing as significant of an inner casting off of ill-will against the oppressor whom it was proposed to resist

with spiritual weapons through soul force. So radically different from anything else suggested or done by political leaders, dramatic and striking, this departure from old and accepted methods of political agitation caught the imagination of India and evoked an immediate response from all, rich and poor, urban and rural.

The call of Gandhiji to Indians sounded like the call of one of their great and revered saints of the older days. It was the voice of India's hoary past speaking through the mouth of one who, by the simplicity of his life and the genuineness of his love for his countrymen, resembled the most eminent of the long succession of saints and religious leaders. This explains the universal response called forth by the hartal of the 6th April, 1919.

ADMINISTRATION OF JUSTICE IN THE MUGHAL EMPIRE

PROFESSOR SRI RAM SHARMA

1. COURTS

THE administration of justice under the Mughal emperors presents a rather complicated picture. So many functionaries seem to be deciding cases and delivering judgment that it becomes a little difficult at times to understand clearly the working of the system. Various courts had different sanctions behind them which sometimes produced friction. In order to understand the Mughal judicial system it is best to start with the courts and their jurisdictions.

There were several types of courts dealing with various kinds of cases. Two types are easily discernible. There were the revenue courts determining cases arising out of complaints about rights in land. There were the *qazis'* courts hearing civil and criminal cases. Besides these two sets of courts, two more types are also heard of from time to time. The caste and the village *panchayats* must have been functioning but outside the normal judicial constitutions. The administrative head of the *parganas*, the *sarkar*, the *subahs*, and the empire itself—the *shiqdors*, the *fojdars*, the *subahdars* and the emperors—dealt with certain undefined types of cases that came before them. Now these four sets of courts could not be distinguished one from another by exclusive jurisdiction either over special cases of citizens or by entertaining only certain classes of cases. They were in no way mutually exclusive. There were no separate courts for Hindus and Muslims as such. Civil and criminal cases were heard and determined by the same court—in fact all these four types of courts heard both civil and criminal cases. There were no territorial division either between these various classes of courts. In a big city, one might find all the four classes of courts functioning side by side.

Territorially the courts formed a concentric organization. At the imperial capital, the emperor, the *diwan*, and the Chief *qazi* held their courts. To them could come citizens from all over the empire. Similarly at the provincial capital, the *subahdar*, the provincial *diwan*, and the provincial *qazi* held their courts. Their jurisdiction was limited to their own province, but it embraced the entire province. From anywhere within the province, a litigant could start his case in any one of these

courts according to the nature of his cause. In the *sarkar*, the *fojdar*, the *karori* and the *qazi* sat and administered justice at the district headquarters in cases within their administrative jurisdiction. In the *parganas*, the *shiqdar*, the *amil*, and if there was one there, the *qazi* dispensed justice similarly. A villager in the remotest part of the empire, therefore, had the right of originating his case anywhere—in the *parganah* courts, the *sarkar* courts, the *subah* courts or in the imperial courts at the capital. The courts held by officers stationed in a bigger unit had thus concurrent original jurisdiction along with the courts in the smaller units.

The various classes of cases, therefore, were not graded according to either the seriousness of the offences or the value of the property involved. The jurisdiction of all courts was unlimited. All of them could entertain civil cases of the highest value and decide criminal cases involving the death penalty. One could not easily call one court higher and another lower in the sense in which we use the term to-day in connection with modern courts.

This brings us to appellate jurisdiction. In the strictest sense of the term such a thing did not exist. No case was taken from a lower court to a higher court with all the records of the lower court for revision. A criminal case decided by a *parganah qazi*, for example, might again be instituted before the *sarkar qazi* if the complainant felt that he had not secured justice. It would however be tried there *de novo*. Neither the trial nor the decision would take notice of anything that might have happened in connection with the case in the lower court. In the sense of one court being subjected to the revisional authority of another, therefore, the courts could not be graded as to-day.

When we talk of higher and lower courts to-day, it implies sometime that the decisions given by higher courts are binding on the lower courts in deciding similar cases before them. Even in this sense one could not grade the Mughal courts. No digest of case law emerging out of the decisions given by the contemporary courts was ever prepared during the Mughal period for the very simple reason that it would have served no purpose. In this sense even, therefore, one could not call one court higher and another lower.

The fundamental concept of judicial administration was that every one taking part therein was supposed to be equally proficient in the matter. True in almost every court, it was truer still in the courts of the *qazis*. To be a *qazi* a man must know the law thoroughly well; one could not know it any better. All *qazis* belonged to the legal fraternity, they were all good lawyers. On the administrative side as well all administrators were supposed to possess enough commonsense to be able to determine the

cases that were brought before them. This supposition need not have been far from truth when one remembers that probably most of the cases arising among Mughal citizens were decided by the *panchayats* consisting of laymen who were neither professional lawyers nor permanent officials.

Thus there were four sets of courts stationed in various cities and big towns of the empire neither graded in their range of jurisdiction nor enjoying mutually exclusive jurisdiction.

2. Nature of the Law

It has been said by some contemporary European observers that the Mughals had no law. It is one of those half truths which conceal more than they declare. Administration of justice in a civilized society without any laws is inconceivable. The Mughal period formed no exception. The various courts had their own set of principles to guide them in their work. The *panchayats* dealt with justice in accordance with local custom and the Hindu law. The local custom might not have yet been exalted by being enshrined in any digest of law. But the Hindu law existed in the text of the various law books written long ago. The Mughal period, however, seems to have made a contribution of its own to the development and codifiction of the Hindu law. Akbar is said to have allowed Hindus courts presided over by their own judges. The caste and village *panchayats* thus seem to have received royal recognition. His liberal religious policy and generous patronage of learning led to the compilation of digests by eminent jurists of the time whose exposition of the Hindu law is even to-day respected by the Privy Council. Mitra Misra, Nilkant, Raghunandan, and Pratap Rudradeva, among others, produced commentaries on the Hindu law which are authoritative even to-day.

Then there were the *Qazis'* courts. They administered the Muslim law usually except where it had been modified by imperial edicts. The Muslim law had by now ceased to grow, it could be found enshrined in the Quran and the Shara', but above all in the works of the great jurists of the past commenting on the two. As was usual in other fields of thought, difference of opinion had arisen among Muslim jurists usually divided into four schools of thought, *Hanafi*, *Maliki*, *Shafi* and *Hambali*. Of these the *Hanafi* law was usually followed in India. But even among the followers of the *Hanafi* school differences of opinion had long since been emerging. The result was that every *Qazi* was left to his own devices in interpreting the law. He was bound by no commentator's authority, there was no case law emerging in India which could guide his footsteps, he was not bound to follow his own earlier interpretation of the

law. Thus though there was the Muslim law, definite and well established as to its essentials in force in Moghul India, there was so much difference of opinion among those who practised it as to its application in detail, that a foreign observer can be easily excused for declaring that there was no law in Mughal India. That such was the case can be easily proved by a perusal of the *Fatawa-i-Alamgiri*, the digest of Muslim law that Aurangzeb got compiled by a learned board of editors. The justification for its compilation lay, it is openly declared, in the medley of opinion that prevailed then. In the articles on different questions, again, one finds several opinions cited sometimes with equal authority. The *Fatāwa* codifies neither the Muslim law nor practices in the way great codes elsewhere did.

The revenue courts applied local custom in their decisions of various cases. Their primary function was to determine on whom the burden of paying the land revenue should rest. They were concerned with titles in land, mostly agricultural land. Here again the custom existed mostly in oral tradition. The *Qanungo* was usually considered to be its best exponent, a walking encyclopædia of land customs.

3. The Functions of the Courts

The Mughal judges were not only judicial officers, they were policemen as well. When a complainant appeared in a court with a plaint, he stated what he had to say; he demanded justice for some wrong done to him. As we shall see, there was a definite procedure followed in the various courts. But if the regular procedure did not produce a result satisfactory to the complainant, it was the duty of the trying court to make investigation and find out the truth of the matter in dispute. Unlike a modern court, their task was not limited to deciding whether or no the complainant or the plaintiff had proved his case. They were not thus bound to the records of the case as produced before them. They could make investigations of their own, they could take judicial notice of popular rumours, they could even trick the parties into confessing the truth. Their vardicts therefore always took the form of a declaration who among the two parties to a case had justice on his side. An acquittal on technical grounds then would have been unintelligible. A decision dismissing a suit for want of proof would have brought no honour to the court. Thus every court performed police functions as well, it investigated the cases brought before it for trial.

This would explain what has usually been described as the appellate functions of some courts. If a local *Qazi* was unable to render a satisfactory verdict in a case brought before him; the complainant could go elsewhere not by way of appeal but by way of knocking at a door which might open the way to redress to him. The new court would not call for the records of the case from the court with a narrower jurisdiction for the very simple reason that the verdict given at a court did not entirely rest on the evidence disclosed during the course of the trial. Its presiding officer would bring his own intelligence, commonsense and administrative experience to bear on the question raised in the court. He might —and would usually—start his own investigations into the question and render a verdict based thereon. He would not usually record all the tortious ways of his investigation but would be content with giving his findings only. Thus what appears to us an appeal was a retrial of a case not properly—and neither technically—brought to an end before the court where it had been originally instituted. There was a retrial certainly but without much reference to the way in which a case had been handled by the original court.

One class of courts entertained complaints against administrators, high and low, judicial and executives. The provincial and the imperial *Qazis*, the governors and the emperor were usually approached by citizens who had been wronged by men in high places. The cases brought before them included abuse of judicial powers as also of administrative authority. There a complainant might allege that he had been denied justice on account of the partiality, corruption, or worse of a court. As the official superiors of the presiding officer the provincial or the imperial *qazi*, the governor, or the emperor would entertain the suit as a new complaint involving however an inquiry into a case already decided. In such a case the original records—if any—of the court might be called for or an inquiry held on the spot. Neither the governor nor the emperor nor the imperial or the provincial *qazis* would under such circumstances, be functioning as adminstrative courts. The public servants enjoyed no protection from the operation of the ordinary law nor from subjection to the normal courts. Citizens resorted to these courts only because of the belief that they would be able to obtain redress against the wrongs committed by the high and the mighty.

Conceived broadly the various courts tried to afford redress to persons wronged in all possible ways. All sorts of wrong-doers would find themselves called upon to answer for the charges brought against them by any one. No one enjoyed any immunity. The courts would listen to no argument barring their jurisdiction.

4. Procedure

Centuries of administrative experience in India and elsewhere developed a law of procedure which was followed by *Qazis'* courts in India. We have no detailed information about the working of the *Panchayats* under the Mughals. But the procedure in other courts seems to have followed the one evolved for the courts of the *Qazis*. When a plaint was filed before a court, the opposite party was summoned to the court by a written order (*Dastak*). In the presence of both the parties issues would be struck. This done the onus of proof would be distributed between the contending parties. It would then be time to call for evidence from both the sides. When both the sides closed their cases, the presiding officer could stay the proceedings for making his own investigations into the matter. After this he would be in a position to give judgment. Usually a judgment would be accompanied by a *Mahzarnamah*, declaration from the complainant that he was satisfied with the judgment given.

Oaths could be administered but were reluctantly taken even by the parties. Usually the complainant had to produce his evidence, if he had none, the defendant would not be called upon to disprove what had not been proved. The defendant was in such cases called upon to take the oath denying the plaint of the complainant. It sometimes happened that when the defendant asserted his willingness to take the oath, the complainant might also offer to do the same. But the rule of procedure was evidence from the plaintiff, oath from the party denying the plaint. Thus if before the oath was taken by the defendant, plaintiff intervened by his offer, the plaint was dismissed.

Muslim jurisprudence allowed the evidence of eye-witnesses alone. At least two such witnesses were needed to establish a case. If the complainant could not produce that number his case stood dismissed unless the court was prepared to undertake further investigation.

Certain classes of witnesses were not allowed to give evidence. Such evidence if taken in ignorance of the status of the witness was held unreliable.

Litigants were allowed to prosecute their cases in person or by their agents, *vakils*. These *vakils* had nothing of either the status or the functions of the modern lawyers. They simply acted as the representatives of the parties. Women seem to have been very often represented by *vakils* who were supposed to be conversant with the rules of procedure. But they do not seem to have been allowed to discuss the case with the court or interpret either the facts or the law for the benefit of the presiding officer.

Securities were sometime demanded in civil cases. In criminal cases sureties could be offered by criminals assuring the administrators that there would be no repetition of the crime alleged against them. This could have been possible in cases where requisite evidence against the accused was not forthcoming.

5. Special procedure in the king's court

The king's court was the refuge of all the wronged persons if they could but reach it. Elaborate attempts were sometimes made by high officials such as governors to prevent complaints against them from reaching the emperors. The misdeeds of a governor of Bengal were only reported to Jahangir by some representatives of the newswriter appearing before the emperor as jugglers from Bengal come to entertain him at the time of the royal appearance at the salutation balcony. Here the procedure seems to have been very simple. Those who sought redress of their grievances brought a written plaint with them. A basket was lowered from the royal balcony and the plaints were placed therein. It was then lifted, the emperor went into the various petitions and passed appropriate orders. Passed in the absence of parties and without due investigation, they could have only initiated appropriate proceedings and must have been sent to appropriate officers for inquiry. But these petitions assured that the cases would take their normal course and the result reported to the emperor.

The emperors held court of justice sometime every day but usually on Wednesdays. All sorts of cases could be brought here before him. Under Aurangzeb the *Qazis* were sometimes able to oust imperial jurisdiction and insist that cases involving infringement of the Muslim law be tried by them alone.

But normally when a case was brought before the emperor he would either summon both the parties before him, send a messenger with an order to fetch the other party, remand a case to the local court ordering that the decision be reported to him, or send a commission for local inquiry on the spot. Mostly these complaints were made against public servants but sometimes other cases were also brought before the emperor. When once a case started in the royal court, the normal procedure was followed except that the emperor could take longer to ponder over the matter and could call upon all and sundry to advise him in deciding a case where a complaint had no evidence to support it. Further the emperor, it seems, could sometimes devise new remedies to redress new wrongs. Sher Shah's decision calling upon a complainant to throw a

betel leaf to the wife of one of the princes when she should be bathing naked (her husband had behaved in that foolish fashion towards the wife of the complainant), is recorded by the contemporary historian as an evidence of his ingenuity in letting no crime go unpunished.

The dispensing of justice by the emperors was a ceremonious affair. He had an adequate staff under the superintendent of the court of justice to help him in discharging these functions. It seems to have been the duty of the superintendent to prepare cases for decision by the emperor. The complainants were kept waiting ready to be ushered into the imperial presence when the emperor was free to attend to them. In Aurangzeb's reign at least ordinarily the *Diwan-i-Mazalum* had come to be a formal affair. The superintendent presented the complainants in a line and the emperor passed orders. No details of the procedure followed have come down to us. It is probable that the emperors were anxious to earn the religious merit of dispensing justice. Shah Jahan is said to have given orders that the aggrieved persons should be presented to him every day so that he might redress their wrongs. Officials, probably belonging to the office of the *Darogha-i-Adalat*, hunted men up and down the streets of the capital but they could find no more than twenty complainants a day who could muster courage enough to approach the emperor for the redress of their wrongs. It must have been an amusing sight—public servants running about to catch hold of men with complaints !

4. Officials attached to the Various Courts

There were several public servants attached to the various courts. The courts of the higher dignitaries had a superintendent, a personal assistant, a reader, and a recorder besides minor officials. Certain courts had the benefit of the advice of the *Muftis*, jurists who advised the court, probably lay administrators like the *Fojdars*, the *subahdars*, and the emperors, on legal issues arising out of a complaint before them. *Mir-i-Adls* are also sometimes referred to as public servants in the judicial department. They seem to have been either lay officials exercising royal justice in places where *Qazis* were not appointed, or administrative officers executing judgment, or *Qazis* known by a different name. It is interesting to notice that various administrative manuals know nothing of him. The appointment orders as preserved in some of the collections of the letter books are again silent about him. The office is, however, mentioned in the *Ain-i-Akbari*, the *Akbar Nama*, the *Tuzak-i-Jahangiri*, the *Akhabarat of* Aurangzeb's reign and the *Muntkhib-ul-Tawraikh*. If Abul Fazl mentions it among the provincial offices in the twenty-fourth

year of Akbars, the *Akhabarat* speaks of his appointment on June 5, 1669, after the conquest of Nawan Nagar. In the first case no *Qazi* is mentioned, in the second the *Qazi*, the *Mufti* and the *Sardar* are all mentioned along with the *Mir-i-Adls*. An office which is mentioned so far apart must have existed but whether regular appointments were made thereto is extremely doutful. The functions assigned to the office make it synonymous with that of the *Qazi*. Abdul Fazl makes it involve execution of sentences awarded. We know that in Akbar's reign no *Qazis* were appointed for some time at Sirhind. It is likely that lay judges (as opposed to canon law lawyers) might have been appointed there to discharge judicial functions.

The superintendents of the courts seem to have been *Qazis* attached to the imperial court or the governor's court. We also hear of persons appointed to this office outside the capitals. But the persons who held the office also discharged the duties of the *Qazis*.

6. Mughal Conception of Crime

Following the principles laid down elsewhere, crime was conceived as either a fall from divine grace, an offence against the ruler, or an offence against an individual. God, the ruler, and private citizens were supposed to be injured by the misdeeds of a wrong-doer. Crime was therefore a private affair—a thing between the offender, his God, his ruler, or the injured party. Most of the crimes, therefore, could be compounded for by arrangement between the parties. Crime against God could be expatiated by conversion to Islam in Aurangzeb's reign. Crime against the ruler could be wiped out by appropriate submission in proper time. Crimes against private citizens could be brought to an end by the aggrieved party's signing a declaration of satisfaction. Crime was not considered a social offence. Rather curiously, the emperor possessed no general power of pardon ; like other private citizens he could remit sentences in offences against himself.

The state was concerned more with the prevention of crime than its punishment. The *Kotwals* stationed in most of the bigger towns were charged with its prevention. The *Muhtsih* and his staff, similarly, put down crime against religion. The *fojdars* and the *subahdars* prevented serious disturbance of peace. The *fojdar* made arrangements for the safety of travellers by providing patrols.

Punishments, accordingly, took various forms, some of them unknown today. One of them was *Tashhir* (proclaiming aloud the offence of the offender by parading him among his fellow citizens). *Tobah* (repentance)

could secure the release of many prisoners. Retaliation or exaction of blood-money from the offenders by the aggrieved party or its representatives figures very much in the annals of the times. Execution was sometimes accompanied by horrible tortures. Maiming and torturing to death were supposed to be royal privileges in which even the princes of the royal blood were not allowed to indulge. Rebels captured in the commission of the crime or robbers with violence when arrested seem to have been a lawful prize even for subordinate officers and were executed usually without trial or sometimes after summary trial. The right of self-defence was recognized to a much larger extent than today. Thieves if captured were given short shrift and could be killed by those who pursued them.

Even if all crimes could not be described as offences against the Mughal emperor, the rulers seem to have a comprehensive view of their judicial functions. It was to their honour that there should not be many offences against the state committed within their dominions. They took care to secure even-handed justice between private citizens so that the high should not prey upon the low. They exerted themselves so as to secure protection to citizens against their own public servants. If and when once they were apprised of any misconduct on the part of anyone, nothing could keep them from dealing appropriately with the offenders. Access was not always easy even with Jahangir's golden chain of justice which incidentally could have afforded relief—if any—to the injured persons only in the capital where the golden chain was installed.

INTRODUCTION TO THE STUDY OF MUSIC IN ISLAM

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MUSIC [1] in Islam is an extremely controversial subject. Islam is a religion of clear commands ; ' yes ' or ' no ' has been the verdict on almost all the fundamentals connected with the faith and rituals of Islam. Islam is primarily ethical in its outlook and it is hardly metaphysical in conception. So far as music is concerned, there is no mention of any word directly signifying its concept, I mean *Sama*, *Ghina*, *Musiqi* (سماع - غناء - موسقي). Commentators on the Qur'ān have stretched certain words like *Lahwul Hadith* (لهو الحديث), *Az-Zur* (الزور), *Samidun* (سامدون) to signify music. So there has been ample scope for comment and imagination on the subject in the absence of any direct mention of the word music itself.

There are two main schools of opinion :—

(1) One group says music is *harām*—unlawful.

(2) Another group says music is *halāl*—permissible.

In between the two stands another group who says that music is permissible under certain conditions. As such, they hold—

(1) Music in poetry is unlawful.

(2) Music is unlawful when accompanied with instrument.

(3) Music is unlawful when it is enjoyed in ecstacy, as is wont with the *Sufis*.

About the degree of its permissibility or non-permissibility, a peep into the adjectives used in connection with music may give a student some explanation. Music has been described as :—

(*a*) *Abāḥat* (اباحت) permissible but not commendable.

(*b*) *Mustaḥabāt* (مستحبات) meritorious.

(*c*) *Sunnat* (سنت) done by the Prophet ; so permitted.

(*d*) *Wājeb* (واجب) should be done.

(*e*) *Ḥalāl* (حلال) permissible.

(*f*) *Makruh* (مكروہ) hateful.

(*g*) *Ḥarām* (حرام) unlawful.

[1] The word music has been used to signify singing with or without instruments.

Each of these adjectives has in its background the reasons which define its connotation.

The unquestioned authority of Islām is the Qur'ān—revelations to and recitation of the Prophet. Then come the sayings of the Prophet commonly known as the *Ḥadīth*, and the actions and examples of the Prophet. Though of much lesser importance, may be classed next in order, the examples of the *Ṣahābis* (companions of the Prophet), of the *Tabe'ins* (companions of the *Ṣahābis*), of the *Tabe-Tabe'ins* (companions of the *Tabe'ins*). The first four Khalīfās (*Kholafa-i Rashidin*), though they were companions have to be treated separately because of their position as leaders of the Faith and Brotherhood when Islām was still free from extraneous forces. After that comes the *Fiqh*, *i.e.*, the theological dissertations of Imāms like Abu Ḥanīfah, Imām Malik, Imām Shāfi'i and Imām Aḥmad bin Ḥanbal. They are the law-givers of Islām and their opinions and actions are respected by Muslīms all over the world more or less. Yet there is another authority of Islām which is known as the '*fatāwa*' (pronouncements, injunctions, rulings) of the great men of Islām. So the Qur'rān, *Ḥadīth*, *Fiqh* and *Fatāwa* have to be discussed if any final opinion is to be made on an important subject of Islām like music.

A short background of sociology of pre-Islamic Arabia defining the genesis of music has to be traced at the outset. Not a few people think that Islām is entirely a new social order in Arabia. But any careful student might find out that there are many survivals of pre-Islāmic Arabia in the Islāmic society, politics, culture and religion. The real study will begin with the position of music in the Qur'ān. Unfortunately the Qur'ān is silent on music directly. The commentators on Qur'ān (or Tafsir writers) are innumerable, almost one hundred thousand. Arabic is a language of dots with delicacy of dictions and intricacy of style. So the commentators had enough scope for difference. Moreover, the verses of the Qur'ān have to be interpreted according to their contexts. In fact, there have grown wide differences in interpretations of the Qur'ān in the light of their contexts, otherwise called *Shān-i-nazūl* (شان نزول). Further, different sects of Islām accept different commentators according to their own standards of faith. This has made the confusion worse confounded.

Then a student has to study music as touched by traditions of the Prophet—commonly known as the *Ḥadīth*. If Qur'ān is the replica (*Tasbir*) of the Prophet, the Prophet is the commentary (*Tafsir*) of the Qur'an, so said 'Ā'yesha. Therefore, the Prophet's sayings and actions should be looked into very carefully. *Al-Būkhari*, the most celebrated Muḥaddith (writer of *Ḥadīth*), is the greatest collector of traditions and is regarded as an unmistakable authority on the subject. The great enquirer

collected, compiled and remembered 600,000 traditions; sifted them and then eliminated the untrustworthy ones and finally embodied 9,000 of them into his famous book.[2]

In the 9th century A.H. Allama Ḥusain bin Mūbārak uz Zubaidī re-examined Būkharī's collections and embodied them in his book named *Tajrid ul Būkharī*.

The *Tajrid ul Būkharī* maintained that only 2,250 *Ḥadīth* are absolutely correct.

The student has to take pains to sift the *Ḥadith* in details because the arguments both for and against music have been based largely on the sayings and actions of the Prophet. In later times, many people in order to give more emphasis to their own view of things introduced new traditions, distorted them or sometimes twisted them to suit their purpose. In fact, respect for "authority" (سند) in Islām is very high and so it is necessary to critically estimate this source of Islām.

Personal actions of the Prophet and his sayings are the most important sources for any discussion on music in the absence of any direct reference to it in the Qur'ān.

The student has to look into the actions of the *Ṣahābis*, like 'Ā'yesha, Prophet's wife, Abū Bakr, his father-in-law, 'Umar, his father-in-law and Alī, his son-in-law; then came in the important *Ṣahābis* like Ḥamza, his uncle, 'Anas, his personal servant, Belal, his personal *Mu'dhdhin* (caller for prayers) and other important personalities generally known as *'Ashra Mobahshar'a*. The *Tabe'ins* and *Tabe-Tabe'ins* cannot be avoided though they are of lesser authority.

The *Fiqh*, or theological decisions, as they are called, are treated as great authorities in Islām. Learned men—Abū Ḥanīfah, Imām Malik, Imām Shafī' and Imām Ahmad bin Ḥanbal—besides interpreting things have left precedents by their personal actions which are often treated by the Muslims with respect. Inspite of the appeal for unity and brotherhood, Islām has developed sects and sectarianism; so these law-givers are accepted or rejected according to the school to which a follower belongs. The *Shī'as* as a class refuse to obey any *Fiqh* except when it is in consonance with what has been accepted by their Imāms; when it is at variance, interpretations and rules have been made according to law of preference.

The *Fatāwas* given by the learned men of Islām, commonly known as the *'Ulamā*, are also treated as authorities. Their opinions on music differ widely as they accept the views of particular commentators of the

[2] Tajrīdul Būkharī, published by Firūzddin, written by Mūbārak, p. 5.

Qur'ān or as they reject any particular tradition regarding the sayings and actions of the Prophet. Their personal examples are often cited as authorities. Hence they have developed wide differences in the controversy on music. Few of them have accepted music unconditionally. The conditions also vary according to time, place and circumstances; further, personal equation is a great factor in acceptance or rejection of a *Fatāwa*. One peculiarity is that the Arabic language has been enriched more by the non-'Arabs, mostly by the Persians, Khurasanis, Turks, Egyptians and to some extent by the Hindustanis too. So the *Fatāwas* have been much influenced by the environments of those great *'Ulamās* who gave their opinions on the subject of music.

Then come the opinions of the *Ṣūfis* who are almost a class in favour of music. The position of the *Ṣūfis* in Islām is still one of controversy and they have been often maligned, misrepresented and persecuted. Still, no discussion on any important topic of Islām is complete without the presentation of the *Ṣūfi* point of view. No one doubts the sincerity and intellect of the *Ṣūfis* like Imām Ghazālī, S'adi, Mu'inuddin Chishtī and Niẓāmuddin Awlia', yet some of the orthodox think that they blundered into wrong path in their exuberance of love for God. The *Ṣūfi* contribution has to proceed.

In conclusion, the permissibility or otherwise of music has to be presented. In doing so, readers must remember the difference between what Islām preached and what the Muslims practised. In fact, what the Muslims did, was not necessarily what the Prophet preached. Incidentally, the position of music before mosque may be looked into. If any one likes he may just make note of the art of dancing in Islām (*Fann-i-Raqs*) from the same sources.

SPINOZA AND THE MODERN WORLD

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THE world has moved in the track of three centuries since the advent of Spinoza, who may be said to have imparted in and through the light of his life that Light 'which never was on sea or land'—the glory and consecration of a philosopher's meditation. In dedicating his 'love to a thing which is eternal and infinite,' he answered exactly to Plato's designation of the philosopher as 'the spectator of all time and all existence,' and caused the customary description of philosophy as *meditatio mortis*, a meditation upon death, to appear in a transfigured light as a meditation upon the Life Eternal. As an unconscious inspiration and challenge to 'A Free Man's Worship' in Bertrand Russell, "a free man," says Spinoza, "thinks of nothing less than of death; and his wisdom is a meditation not on death but on life." Above all, his way of viewing the world *sub specie æternitatis*, under the form of eternity, still remains undimmed with the passage of time that makes history, and is destined to remain a classic inheritance of mankind, which men of our generation, or even generations yet unborn, cannot willingly let die.

I

Born at Amsterdam on 24th November, 1632, Baruch (or Benedict) Spinoza spent his whole life in Holland. His father and grand-father were Portuguese crypto-Jews, so called because of their lip-loyalty to the Christian faith, for fear of the Inquisition, while continuing to remain thorough-bred Jews at heart. Spinoza was barely six years old when his mother died of consumption, to which he also succumbed finally at the comparatively young age of forty-five. The report goes, again, that his sister tried to cheat him of a small inheritance. Spinoza is known to have contested the case in court, won it, and then renounced the legacy in her favour. His father, who had desired his son to grow up an eminent Hebrew Scholar, grew disappointed at his heretical leanings and sent him away. He died when Spinoza was twenty-two. Until 1657, when these refugee Jews at Amsterdam were recognised as citizens, the Jewish community was there only on sufferance, and so the Synagogue authorities, alarmed at Spinoza's so-called heresies, tried at first to bribe him into silence, failing which they reported to the civil authorities the

fact of his excommunication on July 27, 1656, with all the formalities of the Hebrew ritual, and as a consequence thereof Spinoza was banished for a short period. Hardly could they realise the truth that the heresy of to-day becomes the orthodoxy of to-morrow. Such were the depressing circumstances of the family and the community life in which he was born and brought up. Fate, it seems, had ordained that Spinoza should stand out strong in solid singleness, far above the conflicts of creeds and communities, and thus belong to the world of all men and of all ages.

As graphically described by Dr. Will Durant, one of the most gifted American writers of our times, "the story of the Jews—since the Dispersion is one of the epics of European history. Driven from their natural home by the Roman capture of Jerusalem (70 A.D.), and scattered by flight and trade—among all the nations and to all the continents; persecuted and decimated by the adherents of the great religions ... barred by the feudal system from owning land, and by the guilds from taking part in industry; shut up within congested ghettos and narrowing pursuits, mobbed by the people and robbed by the kings; building with their finance and trade the towns and cities indispensable to civilization; outcast and excommunicated, insulted and injured, yet without any political structure, without any legal compulsion to social unity, without even a common language, this wonderful people has maintained itself in body and soul, has preserved its racial and cultural integrity, has guarded with jealous love its oldest rituals and traditions, has patiently and resolutely awaited the day of its deliverance, and has emerged greater in number than ever before, renowned in every field for the contributions of its geniuses, and triumphantly restored, after two thousand years of wandering, to its ancient and unforgotten home. What drama could rival the grandeur of these sufferings, the variety of these scenes, and the glory and justice of this fulfilment? What fiction could match the romance of this reality?" Indeed, the history of the Jewish people has been one long-drawn education through suffering. As schooled in this sanctuary of sorrows, they have emerged victorious over all kinds of ban—social, political, or ecclesiastical—contrived so far by human ingenuity. They thus acquired the citizenship of the world, and received the benediction of a Church Invisible. The solidarity and cohesion within the Jewish community, and a world-fellowship of the Jews, are traceable to this impact of persecution from without; for, suffering is that 'one touch of nature' that 'makes the whole world kin.' While throwing a romantic glamour on this age-old suffering of the Jewish race, it would not be fair to ignore the tragic side as well. Both racially as well as individually, theirs has often been a Pyrrhic victory. Typical is the sentiment voiced

by the Jew in Shakespeare in his famous utterance: "Sufferance is the badge of all our tribe!" It is in this sanctuary of suffering, both tribal and individual, that Spinoza had his initial baptism of fire—which explains the life-long sublime acquiescence of the 'man of sorrows.'

About his early schooling at Amsterdam it is recorded that Spinoza had been drilled at the Jewish Boys' School in an extensive Hebrew curriculum of studies—the Bible and the Talmud with commentaries, the Hebrew versions of the philosophical classics, of such eminent Jewish thinkers as Moses Maimonides, Hasdai Crescas and Ibn Ezra, of whom the last named has been immortalised in Browning's *Rabbi Ben Ezra*. It is from the writings of these thinkers that Spinoza derived his heretical leanings—specially, from the famous Biblical commentary *Guide to the Perplexed*, composed by Maimonides, which offered more perplexities than guidance. About 1652 Spinoza joined the private school of a Dutch Scholar, Van den Enden, through whom Spinoza acquired his extensive knowledge of Latin, learned some Greek, and got into touch with the then 'new philosophy' of Descartes, all of which united in re-inforcing the heretical tendencies, already in evidence. It is reported that Van den Enden had a pretty daughter who became the successful rival of Latin for the affections of Spinoza; even a modern scholar might be persuaded to study Latin under such inducement! But the young lady was not so much of an intellectual as to be blind to the main chance of her life. So directly another suitor approached with costly presents, she lost all interest in Spinoza. It is not improbable that this incident had much to do with the motivation of his "intellectual love of God" which, to Spinoza, meant that "he who loves God does not desire that God should love him in return!" However, Spinoza served during 1654-56 as an assistant teacher in Van den Enden's school, and supplemented his income by giving private lessons as also by grinding lenses for spectacles and telescopes. It is with pointed reference to this vocation of Spinoza that Heine, the German poet of Jewish descent, coupling, with as much truth as wit, an allusion to his means of livelihood with his widespread influence on posterity remarked:—"All our modern philosophers, though often perhaps unconsciously, see through the glasses which Baruch Spinoza ground."

The closing chapter, which was characteristically uneventful, came in 1677. Towards the beginning of the year, it was evident to his friends and to himself that he had not many more days to live. Fearing the loss of his still unpublished writings, he entrusted all his manuscripts to his landlord with instructions what to do with them when the time came. On receiving assurance that he was not unusually ill, his host had gone out and his friend Dr. Meyer only remained with him. On return he found

Spinoza dead in the arms of his friend. Thus passed away peacefully on 21st February, 1677, Spinoza, "the greatest Jew in modern times," and unquestionably one of the greatest philosophers the world has ever seen!

Truly has it been said that "Spinoza did not seek to found a sect and he founded none." Nevertheless Spinoza has been immortalised in the heritage of reaction from his contemporaries as well as successors. As a matter of fact, a great man is more honoured by divergence than by obedience. It was the bi-centenary address (entitled 'Spinoza 1677 and 1877'), which Renan delivered on the occasion of unveiling the monument in his honour at the Hague, that created a land-mark in the growing recognition of Spinoza, the man, and his contribution to the world at large. A general revival of interest in Spinoza and Spinozism was indeed a sign of the times; and it came into being by way of fulfilment, as it were, of the prediction that Matthew Arnold had made in the sixties of the last century in his essay on "Spinoza":—"The man and his work bid fair to become, what they deserve to become in the history of modern philosophy, the central point of interest." The peculiar merit of Renan's address, however, lies elsewhere. In its bold and penetrative appeal, it has since been historic; while its soul-stirring effect does but illustrate the potency of atoning love. It is well known that Spinoza, ever since his excommunication, had to live a life of utter seclusion. In life thus condemned to isolation, he was pursued even after death with unabated and relentless fury by the dignitaries of the Church who, we are told, visited his grave only to spit upon it! Before such acts of graceless sacrilege, committed by the professed apostles of Grace in the good faith that they were thereby doing God service, one is naturally pulled up in horror and persuaded to believe with Professor Whitehead that "religion is the last refuge of human savagery." In atonement, as it were, of this age-long persecution of Spinoza, Renan had his stirring address tuned to that key of righteous indignation which accounts for its universality of appeal. With words that burn deep on one's memory, he concluded thus: "Woe unto him who in passing should hurl an insult at this gentle and pensive head. He would be punished, as all vulgar souls are punished, by his very vulgarity, and by his incapacity to conceive what is divine. From his granite pedestal Spinoza will teach us to follow the way, which he found to blessedness; and centuries hence, men of learning, crossing the Pavil-joensgracht will say to themselves"—and, then pointing with dramatic effect to the windows of Spinoza's room, added—'The truest vision ever had of God came, perhaps, here!'" (*c'est d'ici peut-être que Dieu a été vu de plus près.*)

In Spinoza the Indian mind has a peculiarly intimate and unflagging interest. For, to the Oriental, particularly to the Indian mind, a life dedicated to Truth and consecrated by suffering for its sake, has a perennial charm. Further, a philosophy which is inspired and motived by the recognition of the sorrows of life, along with its trials and tribulations, and which discovers in knowledge the only sheet-anchor of 'this sorry scheme of things entire,' has its irresistible appeal to the Indian mind. Finally, the philosophy of Spinoza which is attuned to the key of a blessedness that is "unmingled with any sorrow" (*Yanna dukkhena saṃbhinnaṃ* in the words of Indian thinkers), and which looks upon knowledge as the only pathway to that blessedness, must needs be welcomed by the Indian mind as being distinctly oriental in tone and conception. It is true that in such an august presence, all racial limitations—Hindu or Jewish, Christian or Pagan—are shamed out of existence. On such a cultural level alone, the East and the West, do, and must ever meet. For Spinoza is one who overrides, by virtue of his compelling greatness, all racial and geographical barriers, and has proved to demonstration in and through the short span of forty-five years of earthly existence that—

"In short measures life may perfect be!"

II

Even the barest acquaintance with Spinoza's thought must take note at least of three of its outstanding features, the three R's, so to say, of Spinoza's philosophy—its Rationalism, its Realism, and its Religious Mysticism. Spinoza's Rationalism, in its negative aspect, meant a revolt against mediævalism and all that it stood for, which had already attained a focalised expression in the epoch-making movements of the Renaissance and the Reformation. From this point of view the philosophy of Descartes may be compared to the first assertion of religious liberty by the Reformers, and the philosophy of Spinoza springs from it by the same movement of thought which gave birth to the predestinarian theories of Luther and Calvin. It is obvious that although the Renaissance and the Reformation crystallized as protests against authority, the Reformers were not opposed to authority as such, but only to existing authority—the authority, in particular, of the Pope and of Aristotle of the Churches. They, however, upheld the authority of Scripture and claimed authority for themselves. The Renaissance was more thoroughgoing in this respect and it is the Humanists among the Renaissance Philosophers who defended the

autonomy of Reason as against the authority of infallible books and institutions. This rationalist tendency reached its climax in Spinoza who, in thus subordinating the authority of Scriptures and Sacraments to that of Reason in Man, also figured as a pioneer Humanist. Seized on its positive side, the rationalism of the Renaissance period which found expression in the great classics of Science of the sixteenth and seventeenth centuries—in the works of Copernicus, Kepler, Galileo, Descartes, Pascal, Boyle, Newton and Leibnitz among others—reached its high-water mark of perfection in Spinoza alone. For his vertical consistency, which prevented, here as elsewhere, a horizontal one, led him to pursue his Rationalism to the limiting conception of the whole of reality as one organically interconnected Universe, in which everything is and happens according to law and order, with the result that "the power of God and the power of nature" become one and the same. "The masses think," says Spinoza, "that the power and providence of God are most clearly displayed by events that are extraordinary, and contrary to the conception which they have formed of nature." But the philosopher knows that God and nature are one being, acting by necessity and according to invariable law; it is this majestic Law which he will reverence and obey. The full-blooded rationalism of Spinoza stood in a class apart from the faint-hearted rationalism of the Renaissance scientists—in particular, of the scientific luminaries named hereinbefore,—that would stop at a half-way house and fondly cling to the inherited theological belief in a cleavage between the Natural and the Supernatural, the last relic of Mediævalism. In thus resolutely following out the first prescript of his Rationalism to its furthest consequences, Spinozism has been characterised an acosmism, pantheism, cosmotheism, or even naturalism. Paradoxically enough, all these characterisations are, and none of them is, true at the same time. In studied indifference to these labels and libels, Spinoza discovered in the much-maligned Geometrical method a faithful partner of his own Rationalism. As a matter of fact, there seems to be in respect of rigorous demonstration a peculiar affinity, or a pre-established harmony, between the means and the end, the Geometrical method and the Rationalism of Spinoza. All approved scholarship in modern times is, however, in favour of taking it as an accident of history, and concedes that living in an age of the irresistible prestige of the Geometrical method, Spinoza could not but contract the contagious conviction of the thinkers of that age. But apart from it the one compelling motive for Spinoza was to reduce the chaotic diversity of the world into a cosmic unity, in deference to his own philosophic creed: "The greatest good is the knowledge of the union which the mind has with the whole of nature." Indeed, "he had the

northern hunger for truth rather than the Southern lust for beauty; the artist in him was purely an architect, building a system of thought to perfect symmetry and form." If Spinoza has erred in this respect he has done so in the honoured company of another ardent rationalist of our times, Mr. Bertrand Russell, who always discovers in Mathematics "not only truth, but supreme beauty—a beauty cold and austere, like that of sculpture" and declares that "the sense of being more than man, which is the touchstone of the highest excellence, is to be found in Mathematics as surely as in poetry." This explains, probably, why, in spite of the steel frame of the Geometrical method which was supposed to have dehumanized his philosophy, Goethe, who felt himself drawn to Spinoza by an 'elective affinity,' still discerned in the 'Ethics' the 'soul of poetry clothed in the body of geometry!'

The second noteworthy feature of Spinoza's philosophy is its Realism or Naturalism, understood in the Greek sense of the term, as a logical sequel to his double-aspect theory of Substance, according to which God or Nature is as much Extension and Thought, as man, a finite mode, is both body and mind, functioning concurrently though neither interfering with the other. The time-honoured dualism of body and soul was originated by Plato, re-inforced by Christianity in its pre-occupation with man's sin and salvation arising out of the antagonism of flesh and spirit, and finally officialised by Descartes as the fore-runner and mouth-piece of modern philosophy. Many a scaffolding and subterfuge have been employed, as is well known in history, to escape from the meshes of this luckless legacy to modern thought. It is a wonder how Spinoza could fully over-ride the spirit of the age, and re-incarnate the Hellenic conception of kinship and continuity between Nature and Man, Matter and Spirit. It is against this Metaphysical background that we best appreciate the easy and insensible gradations whereby the original naturalism or realism of Spinoza's ethics and politics culminated in an eventual mysticism or idealism. The naturalistic foundation of his ethics is summed up in his famous declaration that "the effort of self-preservation is the first and only foundation of virtue," the self-maintaining or self-realising impulse which is identical with the very essence of each finite individual. Following up a graded hierarchy of moral, which is at the same time identical with intellectual perfection, the ethical naturalism of the doctrine of "*conatus*" or "self-maintaining impulse" is consummated in the ethical mysticism of "*amor Dei intellectualis*," of an "intellectual love of God," wherein the natural, unregenerate, subjectivity is so absolutely obliterated that "he who loves God cannot seek that God should love him in return!"

In a similar way, "Spinoza conceives the starting-point of the State naturalistically, its culmination idealistically." His one engrossing concern was to establish the dominion of Reason in metaphysics as the discovery of Order among things, in ethics as the maintenance of Order among desires, and in politics as the foundation of order among men. It is his unfinished *Tractus Politicus*, so far condemned to unmerited neglect, that deserves on account of its intrinsic importance to be rescued from oblivion. "In the same generation which saw Hobbes exalting absolute monarchy and denouncing the uprising of the English people against their King almost as vigorously as Milton was defending it, Spinoza, friend of the republican De Witts, formulated a political philosophy which expressed the liberal and democratic hopes of his day in Holland, and became one of the main sources of that stream which culminated in Rousseau and the Revolution." Visualising, like Hobbes, a natural state of human life in isolation and in ignorance of the elementary conceptions of right and justice, Spinoza lays down as the first principle of all political philosophy that "men are not born for citizenship, but must be made fit for it." In flagrant opposition to Rousseau's sentimental cry that 'man of the woods' is 'good by nature,' Spinoza declares that 'men are by nature individualistic rebels against all law and custom.' The social instinct is not innate in man but has to be acquired, so also is conscience 'that varies with geography.' Premising that "the end of the State is really liberty," Spinoza is convinced that the end is not secured by 'monarchy' which 'is efficient' but 'oppressive and militaristic.' Generalising herefrom, Spinoza, while recognizing the necessity of the State, distrusts it, believing that power corrupts even the incorruptible, just as in a later age Shelley believed that power is a 'pestilence that pollutes whatever it touches.' Accordingly, to Spinoza, democracy is the most reasonable form of government, but as befitting a political philosopher he is not slow to acknowledge the standing defect of democracy—its incorrigible tendency to put the mediocre into power in preference to the men of "trained skill" and tried abilities. To quote his very words, "the fickle disposition of the multitude almost reduces those who have experience of it to despair; for it is governed solely by emotions and not by reason." Thus a democratic government slowly plays itself into the hands of capable men, and in this way, as Spinoza rightly concluded, "democracies change into aristocracies, and these at length into monarchies." As compared with *Tractatus Theologico-Politicus*, which declares in favour of democracy, the *Tractatus Politicus* gives preference to aristocracy. While writing this chapter on democracy, Spinoza died. Who knows that he would not have been led by the logic of facts to preach,

with prophetic justification, the pang-born lesson for to-day that it is democracy that has to be made safe for the world and not the world safe for democracy!

The third and last feature mentioned hereinbefore is its *Religious Mysticism*, which is fittingly the crown and consummation of his life of ethical aspirations and religious satisfaction. "The endeavour to understand is the first and only basis of virtue"—nothing sums up more beautifully his whole philosophy of life, in this regard, which culminates in his "intellectual love of God." To those who regard intellectual imbecility as a qualification for religious authority or think of God only in relation to their emotional needs, this 'intellectual love of God' is sure to appear queer and fantastic. To Spinoza, however, it was the logical outcome of his basic identification of intelligence and will which, running on parallel lines of development, met at this apex. As is well known, Spinoza distinguishes three ascending grades of knowledge—perceptual, rational and intuitive, or in his own phraseology, *experientia vaga, ratio*, and *scientia intuitiva*. At its lowest grade knowledge proceeds on bare observation of objects as discrete. The second grade is that which gives us, by the aid of reason, an insight into laws and connections of things. It gives only scientific knowledge but not as yet a synoptic view of cosmos as a whole. This last is the exclusive prerogative of the third grade of knowledge, termed *Scientia intuitiva*, to which the preceding two stages point as their natural culmination. Placed in this setting, *Scientia intuitiva* may be styled "thoughtfulness matured to inspiration," and likened to Wordsworth's 'Imagination' which is but 'reason in her most exalted mood,' born out of the 'wedding of the intellect to this goodly universe in love and holy passion.' After all, it is of the nature of a mystic vision and, as such, defies conceptual formulation and description. But at the same time it is not something that drops from the clouds, or is shot out of a pistol all at once. Being the humanist he was, Spinoza refused to accept the divinity of Christ, yet preached the gospel: "The eternal wisdom of God...has shown itself forth in all things, but chiefly in the mind of man, and most of all in Jesus Christ." And Spinoza considers that in reverencing Jesus one rises to "the intellectual love of God"—that love which "is part of the infinite love wherewith God loves Himself." Herein consists the "blessedness" of man, which "is not the reward of virtue, but virtue itself." The path that leadeth unto it may be difficult but "all excellent things are as difficult as they are rare"!

TOWARDS AN UNDERSTANDING OF JAPAN: THE LAND OF BUSHIDO

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TO understand a people, to understand the form and working of the political, social and economic institutions of the people, it is necessary to keep constantly in mind the people and their national psychology. Without the knowledge of this national psychology, Japan is an insoluble enigma. For centuries past, the Samurai spirit and Samurai tradition have entirely dominated Japanese life and thought. The Samurai code represents a system of rules by which the conduct of the Japanese citizens are regulated even to-day. These rules do not belong to the sphere of law and legality; on the other hand, they have got a different kind of sanction which is ethical and conventional, and not legal. But all the same, this national code embraces all those habits and obligations of the Japanese people which no Japanese citizen can ever think of disregarding. For good or evil, what Japan is to-day she owes to the Samurai.

Now, who are these Samurai who constitute the back-bone of the Japanese nation? We must carry our thoughts back to a time, several centuries ago, when the integrity of the Japanese State was threatened by tendencies of disruptive feudalism. The ninth century of Japanese history was the age when the central authority was gradually declining and local chieftains were steadily rising in influence and power. The growth of these semi-independent local magnates naturally led to incessant internal wars during the following centuries. The power that put a stop to this chaotic condition was not the central authority of the *Mikado*, but one of those many local parties that were fighting for gaining the ascendancy in the country. By the end of the 12th century, Yoritomo, a local magnate, succeeded in subduing all his rivals, and abolished lawlessness and local tyranny. But Yoritomo was not an ordinary rebel; he did not proclaim himself Emperor. Although he was infinitely more powerful than the *Mikado*, yet he preserved intact the highest power of the State for the reigning Dynasty. He began to govern the country as the vicegerent of the Emperor. The system he initiated is known as the *Shogunate*, because the title he assumed was *Shogun*—generalissimo or commander-in-chief—and as such, he held himself responsible for

the peace and good government of the country. He organized local government in a way that reminds us of the feudal organization in medieval Europe. In this feudal state, the head of a local principality came to be known as the *Daimyo*, literally meaning "Great Name." He was the tenant-in-chief under the State, the feudal prince *par excellence*. He exercised almost kingly powers in his possessions—the power of taxation, of coinage, of capital punishment, etc.

The *Daimyo* needed an armed force to assert and to establish his claims against others, and *The Samurai* supplied this. Etymologically, *Samurai* means companions or men who wait upon a superior. They were the retainers or vassals who were the constant companions of the *Daimyo* in peace and war. By him they were recompensed in lands, over which they in turn could exercise almost as absolute an authority as did their master over his province. These lands were handed down from father to son by the law of primogeniture, but not to a daughter, because land-holding implied military service. The land was cultivated by peasants attached to the soil, the serfs. As agriculture was considered to be a noble occupation, higher than trade or commerce, the Samurai could, if he liked, engage in it without lowering his status or dignity, and in some provinces they lived in rural villages and actually pursued tillage, instead of living in castle towns. Little encouragement was given to industries in medieval Japan. Feudal Society was a camp. Its normal condition was war. Even women of the Samurai class were trained in martial arts. To be prepared for *seppuku* (vulgarly known as *hara-kiri*)—a ceremonial form of self-immolation by disembowelment, the Samurai always carried in addition to his heavy battle sword, a small dirk, whence he was known as the "two-sworded man."

The feudal system instituted by Yoritomo survived his death and naturally underwent many changes during the following centuries. But its final form was given it by Iyeyasu, the founder of the Tokugawa Shogunate, early in the 17th century. After that time it remained unmodified in most of its essential features for two centuries and a half. Feudalism was formally abolished in Japan in 1872 after the restoration of the Emperor, but its vestiges are visible in many Japanese political and social institutions all over the land even up to this day.

Thus, feudalism in Japan had a long career of nearly six centuries during which there flourished in Japan not less than three hundred feudal principalities. But the solidarity of the Japanese social structure was not impaired in this feudal regime. The *Shogun* was the supreme autocrat, and he was surrounded by his ministers and advisers; the feudal lord, *Daimyo*, was a similar autocrat within his dominion and he

ruled through his *Samurai* ministers. Thus, the actual government of the country was more and more transferred to the class of the Samurai as such, while the people at large had no share either in general administration, or in education. The Samurai were trained in military and civic arts and political sciences, as well as in self-culture and personal morality. This whole scheme of training of the ruling class was called Bushido, the way of the Bushi, the way of the Samurai, or the way of the fighting knights. But here we have to note a significant transformation of the former discipline; for, the Samurai or the warrior of the preceding ages, now became the preserver of peace, although armed with two swords. He had little prospect of fighting in the changed circumstances, and yet he had always to be ready to die for his lord. As a ruler he had to be well versed in the theory and arts of government, but no less essential was military discipline. These combined requirements produced some happy results as well as some abnormal and undesirable conventions. The mental and moral legacy of Feudal or Samurai Japan, both in its strong and weak aspects, prevails even to-day, and it powerfully influences Japanese life and conduct.

Bushido raised the sense of integrity and honour among the ruling classes in Japan. It gave impetus to acts of bravery and to bold exploits among the people. It inculcated the spirit of self-denial in Japanese society. The Samurai was not richly endowed with worldly possession. Self-surrender was his daily lesson. On the lips of a Samurai constantly floated the words, "Life is as light as a feather but Rectitude as weighty as a mountain." The Samurai believed in his mission; he was proud of it; he felt it to be his responsibility to keep the world in order. These were his convictions; they were somewhat quixotic no doubt, but he did not waver. Mr. Lowes Dickinson gives in a few words a vivid picture of the Samurai. Says he: "Japanese feudalism converted the Buddha's doctrine of renunciation into the Stoicism of the warrior. The Japanese Samurai renounced desire, not that he might enter Nirvana, but that he might acquire the contempt of life which would make him a perfect warrior. In him, the knight included and swallowed up the saint."

The moral sentiments thus cultivated in *Bushido* have not wholly disappeared with the termination of the feudal regime in Japan. Feudalism was formally abolished in 1872, but the ideas of chivalry and honour it inculcated survived the mother institution, and are by no means dead. Even now they are emotionally very much alive. In the military profession they are naturally best preserved; but as they were the ruling sentiments in Japanese society for several centuries, and formed the subject of endless tales and poems in Japanese literature, they filtered

through the social class by which they were developed and permeated, to some extent, the masses, furnishing a moral standard for the whole nation.

Nevertheless, *Bushido* is an imperfect code of morality; it remains a code of class morality for the Samurai alone. It has not attained the level of national "*Sittlichkeit*" in Japan. It does not embody the social habit of the entire nation. In this sense, it is not a faithful mirror of the system of habitual or customary conduct of the whole Japanese people. Japanese writers have taken pains to show that Bushido is not a rigid system of any kind, that it has no set creed, that it is a progressive unwritten code of honour, and that many different threads of living thought have helped in the weaving of the fabric, called Bushido. Dr. Nitobe, in particular, says that "Bushido is not a completed object; it is not a theory; it is life." It is rather difficult to accept this view. It seems that Bushido lost its vitality and expensive force long ago. It is now only a petrified creed. The lack of abstruse philosophy and the absence of the spirit of free enquiry in Japan is traceable to the neglect of metaphysical training under Bushido's system of education. The Samurai way has created in Japan a conventional and artificial atmosphere out of which few men succeed in completely escaping. The deadening effect of this atmosphere is now apparent in all walks of Japanese life and thought. As human beings we are bound to search after fresh principles if we desire to find firm foundations for a progressive practical life. It is the absence of a clear conception of principle that occasions some at least of the obscurities and perplexities of our life. The reflective spirit does help, not by furnishing us with dogmas or final conclusions, or even with lines of action that are always definite but by the insight which it gives, an insight that develops in us what Plato called the "Synoptic mind," the mind that enables us to see things steadily and to see them whole.

This reflective spirit Bushido does not create, this "Synoptic mind" the Samurai way does not help to foster. Bushido in Japan unfortunately now represents code of dogmas or final conclusions which are not to be challenged. Such an attitude towards life is utterly unreal and thoroughly unscientific; it is inimical to all progress. Yet the Japanese view of life is still dominated by the narrow and hidebound teachings of conventional, rigid and unprogressive Bushido.

Bushido at a certain stage of Japanese civilization extolled the virtues of the warrior, and the warrior class saved Japanese culture and society at a critical period of Japanese history. Missions and ideals, nobler and broader than a warrior's, claim our attention to-day. With an enlarged view of life, with the growth of social democracy, with

the dissemination of education and culture, with better knowledge of other peoples and nations, in short with the development of an international moral sense, the Confucian idea of benevolence and the Buddhist doctrine of compassion and pity should expand in Japan into a creed of tolerance, good will towards neighbours, *ahimsa*, and love. A state built on martial virtues—built merely on the glorification of war—can never contribute an enduring chapter to the history of human civilization. The history of the world will have to confirm the prophecy that "the meek shall inherit the earth." A nation that sells its birth-right of peace and good will towards neighbours for a career of unprovoked aggression, makes a poor bargain indeed. It tries to gain the world by losing its soul.

Several years ago, in the turmoil of the last Great War, India's poet, Rabindranath Tagore, had occasion to criticize severely this trait in the Japanese national character. In letters on Japan written in Bengali language at that time, Tagore clearly pointed out that the basis of modern Japanese civilization was grossly materialistic and that national aggrandisement and the pursuit of ignoble national interests were the highest aims of the Japanese people. At the same time he had no hesitation in asserting that the European civilization, with all its faults and shortcomings, had a spiritual basis of its own, that European civilization steadfastly adhered to certain fundamental moral ideals, and that Europe through ages recognised such a thing as the Kingdom of Heaven. Herein lay, in the opinion of the poet, the fundamental difference between the two civilizations.

"The moral law is the greatest discovery of man" says Tagore, "and nations who sedulously cultivate moral blindness as the cult of patriotism will end their existence in a sudden and violent death."[1] These words have a truly prophetic strain. Once again, in the antumn of 1938, when Japan had launched her wanton and unprovoked attack on weak and helpless China, Tagore in letters written to the Japanese poet Noguchi, felt it incumbent upon himself "to warn the land of Bushido that the phase of scientific savagery which victimised western humanity and had led their helpless masses to a moral cannibalism, should never be imitated by a virile people like the Japanese." He earnestly requested the Japanese people through the Japanese poet not to raise the edifice of greater East Asia "on a tower of skulls." But these sage words of the Indian poet apparently fell on deaf ears at that time, and Japan is still pursuing her career of mad aggression, regardless of all consequences.

[1] Nationalism, by Rabindranath Tagore, p. 78.

Humanity in spite of its many disappointments and failures has believed in a fundamental moral structure of society, and it is only proper for the land of Bushido to explore this moral way of life by discarding the Samurai Way which is so inadequate, so imperfect, so full of pitfalls, and so misleading. One day, parhaps, as Tagore said, in his letter to the Japanese poet Yone Noguchi in September, 1938, "the disillusionment of the Japanese people will be complete, and through laborious centuries they will have to clear the debris of their civilization wrought to ruin by their own war-lords run amok." That day will be the day of repentance for Japan, and Tagore writing to Noguchi, not as a "spiritual vagabond" but as a prophet with real insight, concluded his famous letter by saying "wishing your people whom I love, not success, but remorse."

BYRON IN THE HOUSE OF LORDS

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ONE of the major mischances of Byron which made him great was his failure as a parliamentarian. It was even more important for the development of his genius than his club-foot or his debts. He might have been violently anti-social even without the provocation of his physical deformity. He might have been a champion of the poor even without any incentive from his own financial difficulties. But he could have scarcely been a Byron if he had not failed as a parliamentarian. A successful parliamentary career would have attenuated that fierce combative spirit, that wild and almost irresponsible revolutionary zeal which characterise the life and poetry of Byron. A successful parliamentarian, however radical he may be in his views, and however enthusiastic he may be in urging them, has to be sober, compromising and English. But Byron is intemperate, destructive, un-English. He is one of England's greatest revolutionary poets because he ever remained un-English in temperament and attitude. Wordsworth and Coleridge were at first revolutionary, but they gradually got rid of their French infection and became conservative and English. Byron avoided being a conservative for he avoided being an Englishman. "It is one of the singular facts in the history of literature," says Morley about Byron, "that the most rootedly conservative country in Europe should have produced the poet of Revolution." Morley's sense of surprise at Byron being an Englishman would have much lessened if it had occurred to him to consider that Byron had the advantage of being disliked by his people, that he left England in disgust at the age of twenty-one and that he spent the last eight years of his short life in voluntary exile.

Byron entered the House of Lords because he was a peer; he spoke there because he wanted to distinguish himself as an orator and a statesman; and he ultimately gave up Parliament because he was a poet and a great revolutionary. When he took his seat he had no ardent desire to preach his revolutionary ideas. He left England within three months of his entry into Parliament. But when three years later he spoke in Parliament he spoke as a complete revolutionary. He prepared and rehearsed his speech at home and was very particular how it was received. He made only three speeches and gradually became indifferent to Parliament. Later he said that he 'spoke once or twice as all peers

might do as an introduction to public life.' All these might lead us to believe that his speech was nothing more than an experiment in oratory, an ambitious bid for eminence and applause. His entire parliamentary career might be considered by many as a brief interlude in an extremely dramatic life of passion and poetry. But to make such an estimate of Byron's parliamentary speeches is to miss the most distinctive element of his genius, an element which must be properly understood before we can explain and appreciate the apparent contradictions of his life and measure his real greatness as a poet and a revolutionary. And that element is his impulsiveness. Whatever Byron did he did by impulse. He was wicked by impulse, he was great by impulse. He never thought of either repressing or refining his instincts, for he found that if his instincts made him diabolical at some moments they also made him angelic at others. Even his moral despair was with him a matter of instinct, utterly devoid of any sound intellectual basis. And he never made any secret of his instincts—he rather paraded them. It is this non-chalant impulsiveness, this veritable cult of impetuosity which is the real source of that tremendous force and energy, that characterise his life and poetry and explain all his inconsistencies. If he was an ambitious orator, he was also an ardent revolutionary. Byron never tried to sift his principles from his passions, for he felt that his principles, if he had any, arose from his passions. To him desire for eminence was not inconsistent with devotion to a cause. He enjoyed revolution just as he enjoyed so many things besides.

Byron succeeded to the barony on May 17, 1798, after the death of his grand-uncle the 5th Lord; he took his seat in the House of Lords ten years later on March 13, 1809. When in the winter of 1797, Byron's mother was reading a speech delivered in the House of Commons, a friend who was present complimented young Byron by saying, "we shall have the pleasure some day of reading your speeches in the House of Commons." To this the boy prophetically replied, "I hope not. If you read any speeches of mine, it will be in the House of Lords." Byron gave his maiden speech in 1812 on February 27; he made two other speeches, one on April 21 in the same year and another on June 1 in 1813.

Byron's introduction to the House of Lords is an interesting and significant episode. When Lord Eldon, the Chancellor, stretched out his hand to welcome him, the new member made a cold formal bow that indicated indifference and disgust; and when the Chancellor apologised to him for the delay in arranging his oath-taking ceremony by saying that "these forms were a part of his duty," he promptly retorted—"your Lordship was exactly like Tom Thumb—you did your duty and did no more." And then

he took his seat not among the whigs but on an empty bench opposite the Chancellor. "If I had shaken hands heartily," he told his friend and relative Mr. Dallas who accompanied him to the House on this occasion, "he (Chancellor) would have set me down for one of his party—but I will have nothing to do with any of them, on either side; I have taken my seat and now I will go abroad." Byron was cold to the Lords, for none of them did ever offer to help him in starting his political career. But what on earth did dissuade him from taking a seat amongst the whigs? The reason is to be found in his impulsiveness. He refused to sit with the whigs for the whigs had attacked his poetry. The savage criticism of his *Hours of Idleness* by the Edinburgh Review disturbed him so much that he once even wanted to withdraw his name from the rolls of the Whig Club. It is nonetheless true that Byron did not actually like to belong to any party. For to belong to a party is to submit to an authority. And Byron knew no submission. It did not suit the temperament of an angry Ishmaelite to subscribe to any particular political group. He did not like to belong to any party for he wanted to offend all parties. "I shall stand aloof," he says in one of his letters, "speak what I think, but not often, nor too soon. I will preserve my independence if possible, but if involved with a party, I will take care not to be the last or the least in the ranks." Here is pride, love of distinction and desire to surpass all—and Byron does not conceal them.

The three speeches of Byron in the House of Lords are interesting, not only as literary curiosities; they are also interesting as very important documents which enable us to understand the revolutionary mind of Byron. They are indeed a key to his political ideas. We need to read them for we need to remove from our mind the very wrong notion that Byron was at heart an aristocrat and his advocacy of the republican cause was only an exciting hobby. Sir Walter Scott has said, "On politics he used sometimes to express a high strain of what is now called liberalism, but it appeared to me that the pleasure it afforded him as a vehicle for displaying his satire against individuals in office was at the bottom of his habit of thinking, rather than any real conviction of the political principles on which he talked. He was certainly proud of his rank and ancient family, and in this respect as much an aristocrat with good sense and good breeding." As an English knight Scott could not possibly disown an English peer and think him a lost sheep. Karl Marx had a similar view of Byron when he wrote, "The real difference between Byron and Shelley is this: those who understand them and love them rejoice that Byron died at 36, because if he had lived he would have become a reactionary bourgeois; they grieve that Shelley died at 29 because he was

a revolutionist and he would always have been one of the advanced guards of socialism." In our times too there are critics who have misunderstood Byron's revolutionary views. One of them remarks that "Byron's liberal leanings are not those of a violent un-English rebel against society. .... He was a moderate—therefore free from the charge of treating politics in an un-English spirit."

There are certain things in Byron's life which might easily mislead us into believing that he was at best a conservative liberal. Byron was a blue-blooded aristocrat, he detested popular leaders like Cobbett and Hunt, he was not sufficiently indignant about the Peterloo Massacre, in Greece he associated himself with the aristocratic and not with the republican party, and he opposed Col. Stanhope's policy of giving Greece a "free press." All these facts tend to confirm the notion that Byron was essentially an aristocrat. But to entertain such a conception would be to miss the most fundamental element of Byron's genius—the element of impulsiveness. Byron was a revolutionary not by deliberation and study, he was a revolutionary by instinct and temperament. And his instinct and temperament are usually of an erratic nature. It is idle to seek for any four-square consistency in his political views. The question of Byron's sincerity as a revolutionary does not arise, because revolution was with him not so much a creed as a passion, not so much an article of faith as an essential element of his very nature. The wayward and dissipated life of Byron has considerably diminished the value and significance of his revolutionary spirit. But a saintly Byron would not have been a revolutionary. For passion and petulance are woven through and through with the very texture of his revolutionary nature. Byron would not have been a great revolutionary if he had not been a prodigal and a delinquent. Our disapproval of his immoralities should not make us undervalue his revolutionary ardour. His wickednes was a part of his greatness. His poetry and politics were both inspired by that wild passion and spirit of intransigence which wrecked and glorified his life. While as an inspired Carbonaro he was actively supporting the insurgence against the Pope and Metternich and acclaiming the Americani as they marched through the streets of Ravenna, he was also playing the rôle of a philandering paladin living in an undesirable liaison with Countess Guiccioli. Life was with him a great romance and the romantic spirit which urged him to seduce his friend's wife also urged him to go to Greece and fight and die for Greek freedom. He was not a revolutionary merely in the sense that he hated and opposed tyranny; he was a revolutionary in the deeper sense that he hated and opposed everything. He was born for opposition; and the consistency of his revolutionary outlook is guaranteed not by any mental steadiness

or conscious adherence to any principle; it is guaranteed rather by a chronic unsteadiness and an irrepressible instinct for opposition and dissent. "By the blessing of indifference," he said, "I have simplified my politics into an utter detestation of all existing Governments; and as it is the shortest and the most agreeable and summary feeling imaginable, the first moment of an universal republic would convert me into an advocate of single and uncontradicted despotism." But it would be a mistake to imagine that the spirit of opposition was with Byron an intellectual luxury and nothing else. The fact is that it was both a luxury and a principle, and in Byron they can exist together. He wanted to oppose everything because he thought that everything was wrong. He felt that he would have to oppose democracy when it replaced tyranny, for he was afraid that even democracy would be in the wrong. It was his despair of society which urged him to commit himself to perpetual revolution. The first and foremost duty of a social reformer, according to Byron, is to resent the *status quo*. He frankly admits in his Don Juan, that

> I verily believe, it they
> Who now are basking in their full-blown pride
> Were shaken down, and "dogs had had their day,"
> Though at the first I might perchance deride
> Their tumble, I should turn the other way,
> And wax an ultra-royalist in loyalty,
> Because I hate even democratic royalty.

So the restless revolutionary mentality of Byron was not a caprice, pure and simple; it was deeply rooted in a sound, though secret humanitarian conscience. He raged against everything for he doubted everything; he even doubted himself. He was bold enough to question the *bona fides* of his own political views. "I have no consistency," he said, "except in politics; and that probably arises from my indifference on the subject altogether." Byron was more afraid of indifference than of inconsistency; and he escaped being indifferent about his politics by never allowing it to be cut adrift from the passion and impetuosity of his nature. He remained consistently revolutionary for he remained consistently passionate and impulsive. And whatever his fastidious and cynical self-criticism might urge him to say about his politics, he was essentially consistent in his devotion to democracy and freedom. And it was a consistency which he really valued as his only virtue. "I never was consistent," he wrote to Moore in 1813, "in anything but my politics, and as my redemption depends upon that solitary virtue, it is murder to carry away my last anchor."

Byron attended the House of Lords seven times within three months of his taking his seat there. After returning from his travels he resumed his visits to Parliament and between January 15 and July 30 of 1812 he attended as many as twenty-four meetings. He was more frequent in the House than a party-leader like Lord Holland. It was possibly in consideration of his regular attendance that he was put in the important committees of the Lords. He went down to the House ten times between February and July of the following year, after which his interest in Parliament began to flag. During his last three years in England he visited the House only six times. He listened to, and voted in, the debates on Napoleon's escape from Elba, on the Whig attempt to censure the Tory part in the Congress of Vienna, and on the state of Ireland.

The first speech of Byron in the House of Lords was occasioned by the Frame Work Bill which was introduced by the Earl of Liverpool on February 27, 1812. The Bill enjoined capital punishment for the participators in what is known as the Luddite rebellion. In the first two decades of the nineteenth century serious disturbances broke out in Nottingham owing to the introduction of improved weaving machinery which threw innumerable weavers out of employment. The famished weavers began to seize and smash the new-fangled implements wherever they found them, and started riots that had to be quelled by the military. The agitators were all united in the name of Ned Ludd, a legendary hero who was considered the inaugurator of the rebellion. Byron was the first speaker of the day and he made an impassioned speech denouncing the Bill as an instance of sinister repression and stupid and dangerous legislation. His impassioned defence of the rebellious mob is notable as much for its noble eloquence as for its lofty democratic tone. Speaking about the rioters he exclaimed:

"Are we aware of our obligations to a mob? It is the mob that labour in your fields and serve in your houses, that man your navy and recruit your army,—and that have enabled you to defy all the world, and can also defy you when neglect and calamity have driven them to despair! You may call the people mob; but do not forget that a mob often speaks the sentiments of the people."

He warned the House that repression would not remedy the evil:

"Setting aside the palpable injustice and certain inefficiency of the Bill, are there not enough capital punishments in your statutes? Is there not blood enough upon your penal code, that more must be poured forth to ascend to Heaven and testify against you? How will you carry the Bill into effect? Can you commit a whole county to their own prisons? Will you erect a gibbet in every field and hang up men like scare-crows?

Place the county under martial law? Depopulate and lay waste all around you?—and restore Sherwood-forest as an acceptable gift to the Crown in its former condition of a royal chase and an asylum for outlaws? Are these the remedies for a starving and desperate populace? Will the famished wretch who has braved your bayonets be appalled by your gibbets? When death is a relief, and the only relief it appears that you will afford him, will he be dragooned into tranquillity? . . . . . When a proposal is made to emancipate or relieve, you hesitate, you deliberate for years, you temporise and tamper with the minds of men, but a death-bill must be passed off-hand, without a thought of the consequences.'"

The peroration is a vehement and summary attack on the entire tyrannical legislation:

"Suppose a man dragged into court, to be tried for this new offence, by the new law; still, there are two things wanting to convict and condemn him; and these are in my opinion,—twelve butchers for a jury, and a Jeffreys for a judge."

This eloquent indictment of repressive measures will not lose its value and significance so long as popular rebellions are sought to be suppressed by a policy of mass-terror.

To Byron the Luddite rebellion was the symbol of a mighty democratic movement. In a letter to Moore written on December 24, 1816 he describes the Luddites as the "Lutherans of politics—the reformers." The poem which he enclosed in this letter is worth quoting—as it shows that the cause of the Nottingham rioters was to him a part of the great republican cause which he ever espoused and for which he ultimately gave his life:

"When the web that we weave is complete,
And the shuttle exchanged for the sword,
We will fling the winding sheet
O'er the despot at our feet,
And dye it deep in the gore he has poured."

As an exponent of the people's cause Byron could not support the introduction of improved machinery when it deprived the common workers of their employments and enriched a few monopolists. In a letter written to Holland, two days before the delivery of the speech, he expresses his strong opinion on this point: "Surely my Lord, however we may rejoice in any improvement in the arts which may be beneficial to mankind, we must not allow mankind to be sacrificed to improvements in mechanism. The maintenance and well-doing of the industrious poor is an object of greater consequence to the community than the enrichment of a few monopolists by any improvement in the implements of trade, which deprives the workman of his bread and renders the labourer 'unworthy

of his hire." This will be read with interest by those who have heard of avaricious monopolists disabling indigenous weavers by cutting their thumbs. A few days after this speech Byron wrote an "Ode to the Framers of the Frame Bill" the last stanza of which is quotable for its ironic and pointed criticism of the measure:

> "So if you can hang them for breaking a bobbin
> It will save all the governments' money and meat,
> Men are more easily made than machinery
> Stockings fetch better prices than lives—
> Gibbets in Sherwood will heighten the scenery,
> Shewing how commerce, how liberty thrives."

The first speech of Byron was hailed as a very promising display of parliamentary eloquence. Lords Holland and Grenville congratulated him on the floor of the House. Holland told him 'that he should beat them all if he persevered.' Grenville remarked 'that the construction of some of his periods were very like Burke's.' Sheridan told him that he 'should make an orator if he would but take to speaking, and grow a parliament man.' Sir Francis Burdett said: 'It was the best speech by a Lord since Lord knows when.' Byron's own estimate of his speech is however very interesting. He writes in a letter to Hodgson: "I spoke very violent sentences with a sort of modest impudence, abused everything and everybody, and put the Lord Chancellor very much out of humour. As to my delivery, loud and fluent enough, perhaps a little theatrical." Mr. Dallas, who had heard Byron rehearsing the speech, does not give a very good testimony of his mode of delivery: "His delivery changed my opinion of his power as to eloquence, and checked my hope of his success in parliament. He altered the natural tone of his voice, which was sweet and round, into a formal drawl, and he prepared his features for a part—it was a youth declaiming a task." But Dallas bases his criticism on the rehearsal of the speech and not on its actual delivery in the House, which might have been impressive enough to justify the eulogy of the Lords. And when we read the passage now, we are really carried away by the profound irony, the lofty indignation and the noble rhetoric of the speech.

The second speech was delivered in the course of a debate on the Earl of Donoughmore's motion for a committee on the Roman Catholic claims. The whole speech is a fierce denunciation of the Irish policy of the Government. It pained Byron to think that the Catholics were denied the liberty conceded even to the Negroes. He said in a sentence of poignant irony: "I pity the Catholic peasantry for not having the good fortune to be born black." His remarks on the policy of union are a singularly quotable passage: "Adieu to that union so called, a union from

never uniting which in its first operation gave a death blow to the independence of Ireland, and in its last may be the cause of her eternal separation from this country. If it must be called a union it is the union of the shark with his prey; the spoiler swallows up his victim and thus they become one and indivisible. Thus has Great Britain swallowed up the Parliament, the constitution, the independence of Ireland, and refuses to disgorge even a single privilege, although for the relief of his swollen and distempered body politic."

Moore observes that Byron's delivery on this occasion was not very promising. He says "his delivery was thought mouthing and theatrical, being infected, I take for granted, with the same chanting tone that disfigured his recitation of poetry." Hobhouse reported that the speech kept the house in a roar of laughter. The two passages from the speech which have been inserted have certainly some wit in them. But that wit is suffused with a profound irony. It is therefore strange that the speech should have provoked any laughter. The Lords might have been amused at the enthusiasm of Byron for a cause which they could not take seriously. Byron was told by one of the Lords, probably Holland, that the speech was more suited to the House of Commons than the House of Lords. It is possible that the Lords found something comic in a fellow Peer expressing views which are appropriate only in the mouth of a commoner.

The Roman Catholic question came again before the House in the same year, and Byron has left a very interesting anecdote about his connection with it. In that debate the two contending parties were almost equal in numerical strength. Byron was not present at the debate, and when the time of voting came he was sent for in great haste to a ball, "which I quitted I confess, somewhat reluctantly, to emancipate five millions of people. I came in late and did not go immediately to the body of the House but stood just behind the Woolsack. Eldon turned round and catching my eye immediately said to a peer, 'Damn them they will have it now, by God the vote that is just come in will give it them.'"

The third and last speech was given during a debate on a petition by Major Cartwright in which the well-known reformer drew the attention of the Lords to the unjust and oppressive treatment he received from the civil and military forces in Januray, 1813. Major Cartwright was then preaching parliamentary reform and the persecution to which he was subjected on that account came in for severe criticism in the speech of Byron. After some Lords had spoken on the question Byron rose again and pressed for the acceptance of the petition in words which were to be his last in the House.

The conversation, which Byron had with Moore regarding his speech, is really amusing. "I told them," said Byron to his friend, "that it was a

most flagrant violation of the constitution; that if such things were permitted there was an end of English freedom." And when Moore enquired about the grievance of Cartwright, Byron exclaimed, "Oh, that I forget." This is most like Byron who hated to be serious when seriousness would mean hypocrisy.

Byron did not think very highly about his parliamentary speeches. He had a very high notion about the art of an orator. He said that he had never heard anybody who fulfilled his ideal of an orator. "Grattan," he said, "would have been near it but for his harlequin delivery." He never heard Pitt. Fox was to him only a debater; and Chatham and Burke nearest approaches to orators in England. Sheridan was the only one he ever wished to hear at greater length. A close study of the style of Byron's speeches would show that if it has affinity with the style of any great English orator it is with that of Sheridan. In Byron's speeches specially in the first two we find something of that indignation and fierceness, the pointed irony and high volubility which characterise the orations of Sheridan.

Byron did not stick to parliament because his temperament was not suited to it. By the end of 1813 his interest in parliament began to decline. In the House his presence was ignored. Outside it he came in for overwhelming obloquy for his dissipation. He was one day even assaulted on his way to the House. In his Journal he says that he was prevented from making any further speeches by his "dissipation, shyness, haughty and reserved opinions." Besides, he did not like the fashionable politics of Holland House. He had no faith in parliamentary eloquence. He says in his Journal that when he addressed the House "he thought rather of the public without than of persons within, knowing that Cicero himself and probably the Messiah could never have altered the vote of a single Lord of the Bed-chamber or Bishop." Byron failed to be a parliamentarian because he was to be a great poet. The House of Lords would have given him but a very poor scope for the display of that fierce rebellious spirit in which he attacked not only political tyranny but the entire fabric of the social life of England. He had to leave the legislature, for he was destined to be one of "the unacknowledged legislators of the world." But the three speeches which he made in the House of Lords are a part of that politics of his which he ultimately transformed into poetry.

Mazzini remarked that the day will come "when democracy will remember all that it owes to Byron." That day has not yet come. But when it comes the three speeches of Byron will be read with great interest and admiration.

TRANSLATIONS FROM RAMPROSAD

LOTIKA GHOSE

[These translations are intended to give the Western reader an idea of the grandeur of the Tantric conception of Divinity through the songs of Ramprosad. They are, therefore, entirely free from verbal exactitude and I have inserted lines in keeping with the spirit of the poem which to the Western reader will be explanatory of the Tantric imagery.]

THE COSMIC ADVENT

(1)*

What woman doth dance in terror surging,
Dark blue of hue in rain clouds merging,
On Shiva's breast red lotus awake,
Flowering majestic on blue lake.

Her Shiva saw a vision sweet
With lotus face and crimson feet,
And wished to bind him to her fast,
Conscious in unconscious vast.

But clad in terror now she glides,
With swinging arms and glistening sides,
Spattered with blood as if snake bitten,
With lust for power for ever smitten—

Her naked breasts a pointed grace,
A moon white flower her lotus face,
Round which buzzing yellow bees sip
Honey sweet from cherry red lip.

Nectar drunk her swaying gait,
And dove-like eyes a shining bait,
Arched brows by cupid bent,
Dark hair—all make the soul relent.

And now the sound of mad drum beat
Brings worshippers with dancing feet,
To join the bacchanalian crowd,
Of demon women laughing loud.

* হের কার রমণী নাচে রে ভয়ঙ্করা বেশে।
কে রে নব-নীল-জলধর-কায় হায় হায়!

What nectar doth she bring from heaven,
Compassionate the earth to leaven,
Which corpse-like Shiva lying still
Doth drink as from ambrosial rill.

(2)*

With swaying gait and streaming hair,
Intoxicated oh! how fair!
Storm clad, war mad, who goes rushing,
Power divine the cosmos crushing?

As on blue waters crimson flowered,
Rises her body hybiscus dowered,
A sapphire lotus is her face,
A crescent moon her brow doth grace.

Violet coloured jewel bright,
Who in dark beauty doth darkness blight,
Rising to heaven a lightning flash,
Which rumbling deep doth shattering crash.

On forces ignorant and dark,
As truth flashing, naked, stark,
Oh mother! pray thee take thy stand
In our hearts a lighted brand!

* ঢলিয়া ঢলিয়া কে আসে
গলিত-চিকুর আসব-আবেশে।

THE RED ARMY COMPLETES TWENTY-FIVE YEARS

THE Red Army which came to birth on February 23rd, 1918, completed its twenty-five years a few days ago, and the Silver Jubilee was celebrated in the Soviet Union as best it could be in the present circumstances. The Bolsheviks as a party had not made before the Revolution any particular study of the problem of military organisation. Lenin himself was of course a careful student of Clawscwitz. But the party, it may be repeated, had not given much thought to the problem of defence and far less to that of creating an army. Lenin and his colleagues were, however, confronted, after their successful coup, with a situation which demanded the immediate creation of an effective military force. The continuance of the German war for some time and the outbreak of the civil war made it indispensable that the Communist Party in Russia should set up a well-organised army which must be as much inspired by communist ideas and revolutionary zeal as it should be well up in modern military technique and skilful in different modern arms. During the French Revolution the old army was taken over *en masse* by the revolutionaries to fight their battles under their new banner. The French revolutionaries in fact did not create a new army. What Carnot did was to infuse into the army, which he took over from the old regime, a new revolutionary ideal and zeal. Promotion from the ranks to commanders was made easy and natural, and in fact not a few of the generals who brought laurels of victory to the army rose from the ranks. Apart from this revolutionary principle which the army adopted in revolutionary years the new army was the old army of the days of Bourbonic absolutism. In Soviet Russia, however, the task was not so easy and so simple. The Communist Party did not think it safe to take over the old Czarist army and make it the instrument of the new regime. It could not place any confidence in the officers as a class, who were in Czarist days recruited from the nobility. Nor could it trust many of the old soldiers who might be now infected with counter-revolutionary ideas. So it proceeded to create a new army of its own, from which members of the old nobility and the bourgeoisie were rigidly excluded.

The Red Army was created and organised by the People's Commissar of Defence who had until 1934 the assistance and co-operation in

this work of the Revolutionary Council of War. This Council of War consisted of ten members, appointed by the Council of People's Commissars "mainly from among officers of experience in the various branches of the service." It is to be noted that during the initial period (1918-1923) Trotsky was the Commissar of Defence and much of the credit in organising the Red Army certainly goes to him. From 1926 until 1940, Voroshilov held this office. He was succeeded by Timoshenko for a year. Since 1941 Stalin himself has held this post along with that of the Prime Minister. It should be noted that while during the regime of Trotsky the foundation of the Red Army was laid broad and deep, during the long ministry of Voroshilov it was equipped with, and trained in, modern arms. At first the *army men* were recruited only from among the people of the towns. They were less war-weary in 1918 than the peasants. Revolutionary enthusiasm also was more noticeable among them than among the peasants in the villages. In the course of three months the Red Army came to consist of 300,000 men. It has been emphasised already that the soldiers of the old army were not taken over automatically into the new organisation. But as recruitment was extended to the villages, the peasants, who had fought in the Czarist army and were considered reliable from the revolutionary standpoint, were recruited to the Red Army. Many of the officers and non-commissioned officers of the Czarist army were also absorbed in the new organisation. In fact by 1920 out of 120,000 officers in the Red Army about one-third had been taken over from the old body. It is to be emphasised again that some of the most important figures in the Red Army had been only non-commissioned officers in the Czarist army. They would not possibly have become even sub-lieutenants if the revolution had not swept away the old regime.

Among the leading lights of the Red Army, some names may be particularly mentioned at this place. It is of course known that the military successes which the Soviet Union has achieved in the present war are due to the energy, skill, revolutionary enthusiasm and spirit of sacrifice of the entire people of the Soviet Union. In a modern war and particularly in a war which is being fought on the Russian soil it is not enough that only the army is well trained and efficient. It is absolutely necessary that the rest of the people also must contribute their best in every field of the so-called civilian activities. Consequently military successes should be credited not to the army alone and far less to its commanders. But it is also a fact that without the existence of able and far-seeing commanders no army, however efficient it may be, can win successes particularly against as carefully trained and as specially

well-equipped a war machine as that of Germany. So it may not be out of place to give an indication as to the careers of some of the most important military leaders of the Soviet Union.

The first and the most important name is certainly that of Joseph Stalin. He is not technically an army man. But he has ample experience of war and even of guiding military operations. He is not only thoroughly abreast of the development of military technique in other countries but has clear appreciation of the military needs of the Soviet Union. But the details of his career are too well-known to require recapitulation at this place. The next name to which we may refer is that of Marshal Boris Shaposhnikov. Sometime ago an American weekly characterised him as a walking reference room and military mind. He is well-versed in military history and evolution of military organisation and strategy. "He remembers everything Clawsewitz, Napoleon, Lee, Caesar, Gustavus Adolphus, Sun Tzu wrote and did." He is the author of a monumental work called *Mozg Armii* (The Brain of the Army). He is one of the few important figures in the Red Army who had been a high military officer in Czarist days. He had been in fact a colonel before the Russian revolution. He, however, went over to the Reds and has retained their confidence so much so that today he stands very close to Stalin whose chief of staff he is. Born in the Urals and sixty-one years of age, he has held many important and responsible posts in the Red Army including that of Chief of Frunge Red Banner Military Academy. Without his advice today Stalin does not resort to any military movement. Characteristically this silent and loyal soldier is an expert chess-player. Marshals Budyonny and Voroshilov were, both of them, non-commissioned officers in the Czarist army. Both of them had a very humble origin. The former is the son of a railroad watchman and a charwoman and was at the age of fifteen a worker in a locomotive works while the latter was born of a peasant family in the Don district. Along with these two Marshals we must mention the name of Marshal Semio Timoshenko as well. He is reputed to be the greatest field general produced by the Red Army. Now forty-eight years of age he was born in Bessarabia in a peasant family and worked for sometime as a farm labourer before being conscripted into the Czarist army. Widely travelled, he has an excellent acquaintance with the military organisations of different countries. He was wounded a year ago near Kharkov when his car was bombed by the Germans. Now reported to be in the U.S.A., he was in Moscow planning operations in different theatres of War. General Zhukov who is now guiding the operations in the Don area is now forty-nine and has the reputation of being the handsomest and strongest of men.

In Great Britain though a Defence Department has been in existence for the last few years to co-ordinate the army, the navy and the air force, these three arms are organised and administered by three departments, namely the departments of War, Air and the Admiralty, presided over by three ministers. In the Soviet Union as it has already been mentioned, all these three arms are organised and administered on the responsibility of one Commissariat, that of Defence. It is in the first instance divided into two divisions, administrative and operative. Then in each division there are several branches, each entrusted with different responsibilities. The Commissariat is ultimately responsible not only for the recruitment, maintenance, training and education of the hundreds of thousands of men in the army, the navy and airforce but also for the formation of strategy and the direction of operations.

It is not necessary to emphasise here that military service has been compulsory in the Soviet Union from the beginning. Formerly young men attaining the age of twenty-one were liable to be called up for such service. Later this calling up age was lowered to nineteen. It should of course be known that all men liable for compulsory service were not called up. Besides, it should also be stated that formerly 74% of the infantry divisions were of a territorial character and the ranks were formed by short-service men. In other words only 26% of the infantry actually served a two-year period of training. Gradually, however, this short-coming was removed and by 1938, 77% of the infantry divisions had served a two-year period.

The Webbs in their work on Soviet Communism have left it on record that they were impressed with the enthusiasm with which young men joined the army. This was in striking contrast with the state of things in Czarist Russia. They have pointed out that before each annual conscription a selected commander would visit a village and convene a meeting in which apart from young men some elderly people also would participate. He would here explain the role of the Red Army, the conditions of service, educational opportunities and other amenities that it would provide. Then he would invite questions and reply to them in the meeting. The result of such a procedure was as it has been pointed out already. Those who were conscripted joined up cheerfully and those who were not so conscripted did not feel overjoyed on that account.

It has been pointed out by experts that the ordinary Red Army men are at least as educated as non-commissioned officers in the best armies outside the Soviet Union. The army in fact has been organised into an effective school as much for all-round military training as for general and political education. Elementary and secondary education in the U. S. S.R. has been carefully developed. People before passing into the Army

have to go through the elementary, and sometimes secondary, schools. Even when by chance those who entered the Red Army are without the necessary education, the deficiency is made good at once. Even several years before the outbreak of this war in every military centre, to quote the Webbs again, there were club houses, school rooms, lecture courses, libraries, theatres and cinemas. The aggregate number of volumes in the innumerable libraries of the Defence Forces was about twenty millions. Apart from the ignorant being initiated into the three R's the Red Army men had an opportunity of advancing their knowledge in history, geography, economics, Marxian politics and music. We may emphasise the instruction in Marxian politics There are communist cells in the Army in every part of the Union. It was the duty of these cells to see that the Red Army men had an effective inoculation with communist ideals and principles. Not only again there is opportunity in the Army for such excellent general and political education but due to the new kind of relations between the commanders and the rank and file to which we shall refer later, the Army men have opportunity of exercising their brain in regard to strategy and tactics in which the ordinary soldiers have nowhere else any say. In peace time after every manœuvre the soldiers would be called upon to discuss it frankly and boldly and offer their opinions as to how best it could have been improved. In actual war also whenever there is opportunity, discussions between commanders and men are common as to any recent battle that may have been fought. There are again army newspapers in which the battles fought in other parts of the world are discussed threadbare so that the Army men may be abreast of new developments.

The Red Army is given a thorough training in all arms. The effectiveness of an army in modern warfare does not of course depend only on the ability of the soldiers to handle all machines easily but also on their supply. On this occasion we shall not deal with the development of industrial capacity in the Soviet Union, nor with the number of areoplanes, tanks etc., produced monthly or annually in the Union. But it should be emphasised that during the twenty-five years of the new regime the people of Russia have become intensely machine-minded. Accustomed to machine in agriculture, in industry and in every field, they have taken easily and with alacrity to mechanisation when it was introduced, stage by stage, in the Red Army. Without the operation of the two Five-year Plans of course such mechanisation of the army would neither have been carried out nor would have had any meaning even. But the success of these plans made possible the manufacture of tanks, anti-air-craft guns, motor transports and all other paraphernalia of mechanised warfare. Once mechanisation was resorted to, soldiers were given an intensive training as fliers, as

tank drivers, etc. An expert writer observed in 1938 that there were fliers in the Red Army who had flown over 600,000 miles in over 7,000 flights and there were tank drivers who had been 2,500 hours at the controls.

There is an impression in ignorant circles that in the days of communist equality in the Soviet Union there is no difference in training between the officers and the rank and file of the Red Army. It is true that no social differences exist between the officers and men. They are recruited from the same class and outside duty hours there is free mixing on the basis of absolute equality. It is also true that the men who show sufficient ability are given opportunity for training to become officers. But still a special training is necessary for the officers and to this end a large number of institutions has been set up in the Union. In 1938 there were fourteen military academies and six military faculties in civil Universities. In these institutions there were again evening courses and correspondence classes. That way also more than ten thousand men were receiving special training. It should also be noted that for lower ranks of the officers staff there were regimental schools which provided either twelve or six months' training. As regards the number of officers trained by the academies and other institutions referred to above, we know that in 1935 sixteen thousand men were receiving training in them, so that every year at least four thousand officers, fully trained, were made available to the Red Army. We have already noticed above that the officers do not constitute a separate class and far less a separate caste. In fact any army man, if found suitable and willing, is allowed to join an academy for qualifying as officer. During his stay in the academies for training his expenses are borne by the Government.

Just as the officers are not separated from the rank and file, so the Red Army is not separated from the general body of the people of the Soviet Union. The old relations between the soldier and the common people has been completely superseded by a new relation of amity and co-operation between the Red Army and the general people. While during the twenty-five years which have elapsed since its birth, the Red Army has gained considerably in strength and efficiency, its relation with the people has remained, as before, one of absolute comradeship.

Miscellany

BENOY KUMAR SARKAR

PEARL BUCK THE AMERICAN NOBEL LAUREATE ON RACE-PREJUDICE

Pearl Buck declares that race prejudice in America is the greatest single obstacle in the way of our winning this war, says John Haynes Holmes in *Unity* (Chicago). In saying this, she is referring not merely to the dreadful fact of race discrimination in the armed forces of the nation, which is turning the Negro population of this country into one seething mass of unrest and revolt. What Mrs. Buck has particularly in mind is the effect of our contemptuous prejudice against coloured races upon the fateful situation in the Far East. Japan stands ready, she insists, to exploit to the limit every reported lynching, every slurring reference to "yellow-bellies" and "yellow-devils," every act of segregation and exclusion affecting Asiatic aliens, every indication of our perverted sense of superiority over all races but our own, *i.e.*, the whites. What is involved in this situation is shown by the fact that there are 450,000,000 Chinese who are just as yellow in colour as the Japanese, and thus feel themselves directly insulted by every reference to racial traits. In India are 380,000,000 dark-skinned men and women who were long ago humiliated by our Asiatic Exclusion Act, and who resent to their very souls the white man's arrogance at home and abroad. Then all through the Indies and Thailand are native populations, long degraded and oppressed, who show not the slightest indication of favouring the United States and Britain as ever against their fellow-Asiatics from Japan. Only in the Philippines, apparently, have we Americans broken through the racial barrier, and by our unselfish administration of the island, our superb educational and cultural activities, and our loyally fulfilled pledge of independence, won the Filipinos to our side. No greater tribute to enlighten colonial government has ever been seen than the way the inhabitants of Luzon are sustaining and co-operating with the heroic forces of General MacArthur. But the fact of race prejudice still remains. Here at home, especially in our treatment of the Negroes, as Mrs. Buck points out, we are disrupting the nation's unity, breaking down its morale, and fatally endangering its cause in this great struggle. Abroad, we are alienating from all sympathy and co-operation the hosts of Asiatics whose destiny is identical with our own, and yet who are denied the recognition of equality which they feel to be not a favour but a right. How are we better than the Nazis if we flaunt this black flag of race superiority? And how can we hope to overcome them if we cleanse not ourselves of their offence?

MODERN EUROPE*

World-economy and world-politics have been exhibited in this well-done publication in as interesting a manner as possible. The contents are more maps and diagrams than descriptive accounts. Among the basic problems are described standards of living, resources, population, capital, organization, exchange, unemployment, nationalism and power. A section is given over to the economy of the nations. The history of the years 1919 to 1939 has been described as one long attempt to prevent war. In connection with the search

* *Problems of Modern Europe*: The Facts at a Glance.—By J. H. Jackson and K. Lee. Cambridge University Press, 1941, 128 pages. Price 8*s*.6*d*.

of security the authors deal with "punishing Germany," encirclement of Germany, the League, non-intervention and appeasement, balance of power, Germany's Europe (1941, January), and Russian advance. Britain is described as the only one Power in the field as the champion of the democratic liberties of Europe. "Among her important allies overseas" are enumerated Canada, Australia, New Zealand and South Africa, as well as the U.S.A., "nominally neutral but as anti-Nazi as it was possible to be without entering the fray." India has been given no place in the system of British alliances or camaraderies. The section on Problem for the Peace Conference has a passage like the following: "If the whites are given home rule (as in South Africa) it means injustice for the blacks. If the native majority is given sovereign power it would doubtless mean extermination for the white settlers." The colonialism of the authors is that adumbrated by Halifax and Hitler in 1939 (June-September).

Evidently an Anglo-German entente may grow into an item of *Realpolitik*. This should be quite in keeping with albinocracy or white imperialism.

LEASE-LEND SUPPLY AND REPAYMENT

The text of an agreement between the Government of the United Kingdom and the United States of America on the "principles applying to mutual aid in the prosecution of the war against aggression," signed in Washington, is now available as a White Paper.

The following articles were agreed on :—

Article 1. The Government of the United States of America will continue to supply the Government of the United Kingdom with such defence articles, defence services and defence information as the President shall authorise to be transferred or provided.

Article 2. The Government of the United Kingdom will continue to contribute to the defence of the United States of America and the strengthening thereof and will provide such articles, services, facilities or information as it may be in a position to supply.

Article 3. The Government of the United Kingdom will not, without the consent of the President of the United States of America, transfer title to or possession of any defence article or defence information transferred to it under the Act, or permit the use thereof by anyone, not an officer, employee or agent of the Government of the United Kingdom.

Article 4. If as a result of the transfer to the Government of the United Kingdom of any defence article or defence information, it becomes necessary for that Government to take any action or make any payment in order fully to protect any of the rights of a citizen of the United States of America who has patent rights in and to any such defence article or information, the Government of the United Kingdom will take such action or make such payment when requested to do so by the President of the United States of America.

Article 5. The Government of the United Kingdom will return to the United States of America at the end of the present emergency, as determined by the President, such defence articles, transferred under this Agreement as shall not have been destroyed, lost or consumed and as shall be determined by the President to be useful in the defence of the United States of America or of the Western Hemisphere or to be otherwise of use to the United States of America.

Article 7. In the final determination of the benefits to be provided to the United States of America by the Government of the United Kingdom in return for aid furnished under the Act of Congress of March 11, the terms and conditions thereof shall be such as not to burden commerce between the two countries, but to promote mutually advantageous economic relations between them and the betterment of world-wide economic relations.

To that end, they shall include provision for agreed action by the United States of America and the United Kingdom, open to participation by all other countries of like mind, directed to the expansion, by appropriate international and domestic measures, of production, employment, and the exchange and consumption of goods, which are the material foundations of liberty and welfare of all people; to the elimination of all forms of discriminatory treatment in international commerce and to the reduction of tariffs and other trade barriers; and, in general, to the attainment of all the economic objectives set forth in the Joint Declaration made on August 12, 1941, by the President of the United States of America and the Prime Minister of the United Kingdom (the "Atlantic Charter").

At an early convenient date conversations shall be begun between the two Governments with a view to determining, in the light of governing economic conditions, the best means of attaining the above-stated objectives by their own agreed action and of seeking the agreed action of other like-minded Governments.

Round The World

America in Need of a New Constitution?

No nation has respected its constitution more than the people of the United States. In fact anybody in that country who does not show proper regard for the document framed in 1787 at Philadelphia is taken virtually as a heretic. To find fault as much with the provisions of the constitution as with its makers is an act of heresy. Even a man of outstanding academic ability and reputation like Professor Charles Beard incurred considerable odium in high and influential circles by writing an unorthodox book on the economic aspects of the American constitution. But while the veneration of the American people for the constitution as it was shaped by Washington, Madison and others is deep-rooted, it should be known that there is one factor of this constitution which has come in for drastic criticism at the hands of reputed scholars and thinkers. We are referring to the Presidential system. As early as the 1880's Woodrow Wilson, then a rising scholar, vigorously assailed in his *Congressional Government* the system under which the Executive and the Legislature worked in separate and independent compartments. Since Wilson advocated some kind of fusion between these two branches of government and true executive leadership in the legislative field, the subject has enlisted the attention of other scholars and public men. The late President Lowell, of course, took up cudgels in favour of the Presidential system. But men like Newton D. Baker and Henry Jones Ford gave their verdict in favour of the Parliamentary system. Bryce's views in this regard are also well known. Recently Henry Hazlitt has written a book entitled "A New Constitution Now" in which he has prepared afresh a case for the substitution of a Parliamentary system for the existing Presidential arrangement.

Fostering Anglo-American Understanding

We have already noticed on different occasions in these columns the methods followed for several decades past in fostering a more intimate and healthy understanding between the two English-speaking countries of Great Britain and the United States of America. Recently a book entitled "Anglo-American Literary Relations" has been published to this end. It is a posthumous work from the pen of the late President of Magdalene, Dr. Gordon. He has traced in this book the relationship in different periods between the writers and preachers of the two countries. In this connection he has particularly expatiated upon the relations between Carlyle and Emerson. He has also referred to the princely welcome that was offered to Charles Dickens in the United States and to the inordinately vast audience which attended his lectures. It is not necessary to refer to the other details of this work. We may only point out that a book like this will certainly serve the purpose for which it has been written—to bring the U.S.A. closer to Britain.

Turkey and Pan-Islamism

Recently at a tea party organised by the Punjab Muslim Press at Lahore, M. Atay, the leader of the Turkish Press Delegation made some pointed observations about the attitude of Turkey not only towards Pan-Islamism but also towards Islamic religion. He categorically stated that as Turks they were not

interested in any Pan-Islamic Federation. In an article published in the January issue of this Review it was shown that the movement started by the young Turks early in this century made nationalism its basis and went back upon Pan-Islamism, which, as a political ideal, had been sponsored for the sake of convenience by Sultan Abdul Hamid. The Kemalist movement which gathered momentum after 1918 and became afterwards so successful not only abjured Pan-Islamism but had for its underlying principle Pan-Turanianism. In other words the New Turkey created by Kemal Ataturk refused to cling to the coat-tails of Islamic universalism and had for its ideal Turanian nationalism. It is significant that after the last war when the Khilafat question troubled the mind of Indian Mussalmans, many of them, particularly of the Punjab and the Frontier, initiated what they called a Mahajorin movement. They refused to continue their stay in a territory controlled by Britain. Many of them straggled to Turkey. But in that country, where they had expected a cordial reception, they met with a very frigid treatment. Turkey had at that time no necessity for religious zealots who had gone there from India. Their conditions naturally became very precarious. In fact when the late Lala Lajpat Rai visited Turkey, some of them met him and related their piteous tales. He organised their repatriation to India as best he could. This episode certainly illustrates the distinction in outlook between the Indian Moslems and the Turks. The former call themselves Moslems first and Indians next, while M. Atay has pointed out in no uncertain terms that the Turks are Turks first and Moslems afterwards. Sir Abdur Rahim asserted years ago that Indian Muslims were more at home in the cities of Ispahan and Istambul than in the Hindu quarters of their own towns in India. How much they are so at home in the cities of other Islamic countries is illustrated very aptly by the Mahajorin episode to which we have referred above. M. Atay has done a service to the Indian Mussalmans by emphasising the medieval character of Pan-Islamism. Religion should be taken strictly as a private affair and people, affiliated to all religions, should think in the first instance in terms of their country. Possibly this nationalism is as an ideal narrow. But if a larger and wider ideal is to be sought, it is to be found not in a religious federation but in a continental or world federation.

Local Self-Government in Bengal

Some time ago the Chairman of the Faridpur District Board was removed from Office by the Provincial Government. A new election was consequently held and Alhas Ghiasuddin Ahmed, M.L.A., has been elected as Chairman by the Board. We do not know anything as to the ability or antecedents of this gentleman and we are not commenting upon them. But we are not sure if a member of the Provincial Legislature, particularly of the Assembly, should be elected to the office of Chairman of a District Board or Municipality in the mufassil. It should be known that the Chairman of a District Board is not merely the President of its monthly meetings, he is in every sense the head of the institution. A District Board has only a stipendiary secretary but no salaried Executive Officer. The functions of the chief executive are exercised by the Chairman. It is true he is assisted by two Vice-Chairmen and certain duties are delegated to them. But even when the Vice-Chairmen perform these duties, the Chairman is expected to supervise the discharge of every function. His responsibility is great as his powers are large. If this responsibility is to be discharged properly and satisfactorily, it is essential that the Chairman should stay permanently at the headquarters except when he should be touring in the district. But a member of the Legislative Assembly has to stay in Calcutta more than four months during the year. We do not think the Chairman who is the pivotal factor of the District Board should be allowed to spare this time from his normal administrative duties.

Cape Coloured Permanent Commission

Mr. Lawrence who happens to be the Minister of the Interior in the Union Government of South Africa has recently taken pride in a speech that a special section has been opened in his department to deal with the coloured population of the Dominion. He has also referred to the establishment of a standing commission called the Cape Coloured Permanent Commission consisting of both white and coloured representatives. The special section in the department will deal with the coloured problems in the Union with the advice of the commission. We do not find much in the procedure adopted in which anybody may take much pride. South Africa is the country of the coloured people and as a matter of course the country should be administered not only primarily in their interests but on their responsibility. It may be pointed that these local people have not the necessary education and experience. But this also is not very creditable to the Government of South Africa that after so many years of white rule the local inhabitants have not been given the necessary education and training.

Recruitment to Foreign Office

A Reuter's message from London tells us that a white paper has been issued by the Secretary of State for Foreign Affairs proposing reform in his office. He is aiming, we are told, at the immediate amalgamation of the Foreign Office and Diplomatic Service with Commercial and Consular Services. Secondly, a new system of recruitment to the amalgamated services is proposed, under which young men from all strata of society may be chosen. It may be known that in 1870 open competitive examination was introduced in Britain as a method of recruitment to many of the departments in Whitehall. But the Foreign Office, the Diplomatic Service and the Consular Service were left out. Up to 1919 those who had a private income of £400 a year and who in some cases could afford to serve for two years without any salary were alone eligible for appointment to the Foreign Office and the Diplomatic Service. While democracy might be introduced in other departments by the adoption of the method of open competitive examination, these services were regarded as too sacred to be polluted by the association of the common people. They were to continue to be exclusive preserves for gentlemen. With effect from 1920 the income-qualification was no doubt abolished but still open competition was not resorted to. The candidates would be first of all required to appear before a Board of Selection and if they were passed by the Board as suitable candidates they would be entitled to appear at the examination in which, of course, they would be required to show proficiency in German, French and some other foreign languages. The preliminary selection by the Board of Selection was intended to ensure that men with proper antecedents alone were chosen. Democracy continued in other words to be kept at an Arm's length. As for the Consular Service, it should be known that it was first organised as a regular service in 1825. Before that merchants without any special training were appointed to consular duties. But for eighty years after 1825 appointment was made to the Consular Service by patronage on the part of the Secretary of State for Foreign Affairs. Only after appointment, a candidate had to pass an examination. In 1905 and then in 1920 this system was remodelled and a competitive principle was introduced. But this competition has not been open. Before the candidates are allowed to appear at the competitive written examination, they have to submit themselves to a preliminary selection by a Board consisting of the Principal Civil Service Commissioner, two or three officers of the Foreign Office and a business man. It may also be emphasised that in the written examination at which the selected candidates have to appear, economics and French are obligatory subjects. We do not yet know the details of the new system under which the Foreign Secretary proposes

to make recruitment to the amalgamated services. But as he intends to ensure appointment from all strata of society, it is likely that the competition will be henceforward open and the preliminary selection will be abandoned. One of the objects again of amalgamating the diplomatic and Consular services is to make possible the appointment in diplomatic capacity of men trained in economic matters. Duties of diplomacy have undergone considerable changes since the eighteenth and early nineteenth centuries. Diplomatic talks are no longer concerned only with political situations and military positions. Nor are the reports to be submitted by the diplomatic officers to their chiefs at home concerned with these subjects alone. Matters of commerce and economic situations have now obtruded themselves rather aggressively and diplomatic representatives can neglect them only to the detriment of the interests of their country. The commercial attaché at a legation sometimes becomes more important even than the military or the naval attaché. In view of this it is but good that diplomatic and consular services are being amalgamated.

Reuter's message also tells us that the Parliament will soon be called upon to pass an Act empowering the Foreign Secretary to retire the members of the amalgamated services on pension before they have completed the age of sixty. At present none can be retired before the age of sixty. The normal retiring age is 65 though the Heads of Departments have discretion to call upon officers to retire after sixty. Even after sixty-five some officers may be kept in service up to five years provided the Head of the Department and the Treasury are convinced that their retirement at sixty-five "would be detrimental to the interests of the Public Service." While these have been the general rules as to retirement, in the Far-Eastern Consular Services the system is a bit different. Virtually all the posts in these Services have been scheduled as "unhealthy" and on this account officers have been allowed to retire on pension after completion of 27 years of service. In fact it was thought desirable that officers in the Far East should retire before sixty. But evidently most of them did not utilise the option of retiring only after a service of 27 years, and the Tomlin Commission of 1929-31 recommended that the officers of the Far Eastern Consular Services would be compulsorily retired at sixty and at any time during the previous five years also they might be called upon to retire. In Foreign Office and in the Diplomatic Service there are officers who have not necessary equipment to cope with the complicated duties entrusted to them. But as under the existing superannuation law they cannot be asked to retire before sixty, its replacement by a new law is contemplated.

Women and Civil Service

Recently the Executive Committee of the Bombay Women's Association adopted a resolution to the effect that the High Court Rules should be amended so as to admit women as jurors and that opportunities should be offered to women candidates for appointment to civil service posts. For years the associations of women in this country were busy with the question of franchise. Once it was decided in favour of women receiving the privilege on equal terms with men, these associations have turned their attention to other fields in which men and women have not yet the same rights. It is to be seen if in these new fields also their efforts become fruitful. In Britain women have been at work in the departments at Whitehall since 1870. But for years most of these appointments were confined to the Post Office. In 1914 while three thousand women were employed in this Office as clerks, there were only six hundred of them employed as typists and three hundred as clerks in other departments. It should also be emphasised that there were no women in responsible posts in any department unless of course offices of a few inspectors might be called responsible. Further it should be known that before the War of 1914-18 women were not allowed to compete on the same

terms as men for any posts in the Service. "Where women were employed they were recruited by special examinations open to women only, and it was the practice to employ women clerks in self-contained sections staffed wholly by women." The MacDonnell Commission which reported on the affairs of the Civil Service in 1914 held definite views as to the right of women to compete for civil service posts on the same terms as men. "The object should be not to provide employment for women as such, but to secure for the State the advantage of the services of women whenever those services best promote its interests," so observed this Commission. In other words women would be recruited to civil service posts not as a matter of right but as the interests of the State might dictate. During the last War owing to the absence of men at the front many women had to be employed as temporary staff and some of them held even responsible posts. In 1919 the Sex Disqualification (Removal) Act was passed and it laid down that a person would not be disqualified by sex or marriage from the holding of any civil or judicial office or post. As to the marriage it will be seen later that the bar was not exactly removed by this Act. But anyhow the general principle was now laid down that women must not be disqualified for any civil or judicial post on the ground of sex. Gradually the Administrative Class from which women were rigidly shut out before was thrown open to women except in certain departments. The principle enunciated by the MacDonnell Commission and referred to above was reversed by the Tomlin Commission which reported in 1931. While the former had recommended that women would be appointed to civil service posts only if the interests of the State made such appointment desirable, the latter recommended that as far as possible the policy of a fair field and no favour should be adopted. Appointments should also be made wherever possible through the same competitive examination. As for the marriage bar which had been introduced in 1894 and which demanded that no married woman might be appointed to or retained in any post, it cannot be said that the Sex Disqualification (Removal) Act for 1919 really did away with it. There was a proviso in this Act which allowed the formulation of regulations under which women were to be admitted to the Civil Service. Under the Regulations in vogue a woman already married is ordinarily ineligible for appointment to the Service and a woman already in it cannot be retained therein after marriage. But in respect of responsible posts exceptions may be made at the discretion of the Treasury. It is not again in regard to marriage alone that the grievances of civil service women have not so far been removed. In respect of the salary scale also, their demands have not so far been complied with. Epual pay for equal work has been their slogan for decades. But the Tomlin Commission also was equally divided in respect of this question. In India admission to the civil services of women candidates bristles with difficulties except in regard to lower posts in the secretariats. On the very grounds on which women are excluded in Great Britain from the Diplomatic and Consular Services and from the Colonial and Defence Departments they may have to be excluded in India from those posts the incumbents of which are either required to hold charges in the districts or otherwise to perform field work. The superior posts in the secretariat also are under the present arrangments held for a period by those who have to return to their district work after a time. But even if those posts are excluded, there is opportunity for wider employment of women in the public services in this country. But if they are increasingly employed therein, where will the men go?

Parliamentary System

George Bernard Shaw is eighty-seven but has still his intellectual freshness intact. His interest in politics and political system is still inexhaustible. Recently he published his observations on the British Parliamentary system in 'Glasgow Forward.' He is definitely of the view that under this system it is impossible,

as a rule, for men with drive and initiative to come to the top and take charge of the nation's affairs. The parliamentary system, he opines, makes possible the choice of only those men as heads of the government, who may agree to do things irrespective of their own opinions and views. Men like Baldwin and Ramsay MacDonald, who will eat their own principles and accept the standpoint of others, have alone any chance of becoming Prime Ministers of Britain. Lloyd George and Winston Churchill are, no doubt, men with extraordinary driving force. But they came to the helm of affairs only in extraordinary circumstances. In ordinary times they can have absolutely no opportunity of shaping the destiny of their country. In fact, Shaw asserts that under the Parliamentary system men with political and administrative genius can only eat their hearts out and will never attain the position in which they can be of real use to their nation and country.

This observation of Bernard Shaw on the Parliamentary system is in direct contrast with the observations of most writers on political and constitutional subjects. Hitherto, for instance, we have heard that under the Parliamentary system alone people with ability have an opportunity of being distinguished from the common herd. Membership of the House of Commons for a number of years opens out to people an opportunity of showing their mettle. Those who are lazy or without any aptitude for political work are automatically winnowed out. Those again who can deal with public questions and administrative problems with ability come to the front and attract public notice. The result is that when a government is formed, they are almost automatically included in it and are entrusted with important and responsible work. It is true that individuals, even with a considerable amount of ability and genius, may, for one reason or another, be kept in the cold shade of neglect. But the system, as a rule, has merits which none can deny. Particularly when it is contrasted with the Presidential system in the United States of America, its virtues come out into relief. Under the latter system, it is possible for an untried man with hardly any grasp of the country's problems and without any experience of responsible administrative work, to be elected to the presidency. Under the Parliamentary system, no such chance is taken.

On the face of it, the opinion, just referred to above, on the Parliamentary system, may be inconsistent with the observations of George Bernard Shaw. But, really speaking, there is no inconsistency between the two standpoints. Shaw will certainly concede at once that, under the existing system of government in Britain, no lottery is tolerated as it is done in the United States of America in regard to the choice of the supreme executive of the country. Only tried men will be put into the Cabinet. But Shaw asserts that while these men are tried hands, they may be only mediocre in their abilities. Men of genius with originality of ideas and real driving force may be shut out altogether. From the summary of the observations which has been cabled out to this country, it appears that Shaw does not believe in the party system as it exists in Great Britain and has much confidence in the Soviet system which has been worked for over two decades in the U. S. S. R. and has attained success in that vast territory.

Some Books

Upton Close is a noted American publicist with intimate acquaintance with the Orient, particularly the Far East. In 1935, he published his book *Behind the Face of Japan*. In this work he gave a portrait of men and things, of institutions and ideals of Japan, which was at once interesting and revealing. After Pearl Harbour he sat down to revise this work and arrange for its publication. This revised edition has now been before the American readers for sometime past (Appleton-Century). In *Studies in Diplomacy and Statecraft*, Dr. G. P. Gooch, the famous English historian and editor of the Contemporary Review not only supplies the diplomatic background of the war of 1914-18 but incorporates his

articles on political biography, originally published in his journal. Under the title, *Behemoth* Gollancz has published a book on the structure and practice of national socialism by Franz Neumann. In this work almost every thing concerning the subject is explained, analysed and discussed. To many, All Souls has a thrilling appeal. Their interest in it is inexhaustible. It is good, therefore, that a number of Fellows of this Oxford institution have publised their autobiography. Sir Charles Oman, Bishop Henson, Mr. Rowse and now Mr. E. L. Woodward have given us glimpses of life and activity at All Souls in different decades. As for Woodward, we are referring to his *Short Journey* (Faber and Faber). The relations between Turkey and Britain have now reached an interesting phase. People are guessing as to what the developments of the Adana talks may be. In view of this *Briton and Turk* by Philip P. Graves (Hutchinson) will be read with avidity. The author has been on the staff of *The Times* for four decades and has had intimate connections with the near east.

Chinese Relations Officer at New Delhi

A year ago, Sir Robert Reid, the former Governor of Assam, was appointed the Chinese Relations Officer at Calcutta. A recent message from New Delhi tells us that Mr. Pridaux Brune has been appointed in the same capacity at New Delhi. The duties assigned to these officers are of a character which demands intimate knowledge of Indian life and conditions. It was therefore absolutely essential that cultivated Indians alone who could have introduced the Chinese, both civilians and soldiers in this country, to Indian life and thought and could have performed other necessary liaison duties should have been appointed to these posts. But it seems that wherever contact with foreigners is involved, the Government of India in making the choice has fought shy of Indians. A few months ago when appointment had to be made to a similar post in respect of the Americans in India an old Britisher was imported in the person of Sir Evelyn Wrench to undertake this work and no Indian was given the official opportunity of coming into direct touch with American soldiers and civilians in India and introduce them to Indian life and traditions. There is nothing more tragic in this that the liaison work between the Americans and the Chinese in this country and the Indian people and government is to be performed not by Indians themselves but by some imported foreigners. In this connection it may be emphasised that the importation of Britishers in one official capacity or another and on one pretext or another has been an obsession with the Government of India since Lord Linlithgow became the Governor-General. As early as 1937 was imported from the London School of Economics the Economic Adviser and from the Board of Inland Revenue an expert on Income-Tax. Later Mr. Hodson was brought to New Delhi from London as Reforms Commissioner. Some time ago several dozen men were again brought from England so that they might work in this country as A. R. P. experts. If the A. R. P. personnel in India were really deficient in certain aspects of their work, possibly only one man with necessary experience might have been imported and he might have helped in the training of a number of experts in this country. From this latter group would have permeated to the rank and file engaged in A. R. P. work the requisite skill and technique. Only recently another Britisher has been imported from Whitehall to work under the Government of India as Labour Adviser so that he might offer this Government the necessary expert advice as to labour legislation. It is very surprising that such a post had to be created in war-time when, we have been told, the Government of India has very little time to think of political and other reforms. We are also surprised that the advice of a British expert has become necessary for the drafting of requisite labour legislation. We are sometimes tempted to ask if Britain has no need of these people even in war-time. Or could it be that because Britain has no use for them, she is eager to lease them to India ?

Pearl Buck

Few of the noted Americans have taken a keener and more sympathetic interest in the question of Indian freedom than Pearl Buck. Her lectures, her interviews and her radio addresses have been as much instructive to her fellow-Americans regarding Indian affairs as they have been heartening to the Indians themselves. On the 26th January last when the Indians in the United States celebrated the Independence Day, Pearl Buck presided on the occasion, and repudiated on behalf of the American people the theory of the white man's burden in Asia and Africa.

Buck is now fifty-one years of age, being born in West Virginia in 1892. Though educated at Macon College and the Cornell University, she has had experiences of China and the Chinese life since childhood. Her parents were missionaries in that country and naturally she spent her early life there. With her own education completed she again returned to China to take up duties of a missionary and a teacher. It should be noted that her first husband was also a missionary in the country with whose life and thought Buck picked up so intimate an acquaintance and about which she wrote later so touchingly, and so beautifully in her stories. Her famous work, *Good Earth*, was published in 1931. She was awarded the Nobel Prize in 1938. Among her other books may be mentioned the *East Wind* and *The Patriot*.

American Opinion and India

Begum Shahnawaz who had attended in December the Conference of the Pacific Institute in Canada and travelled in this connection in the United States told recently an audience in India that those who were agitating in the U.S.A. on India's behalf were Fifth Columnists. The obeservation is rather unintelligent and even astounding. It is true that the large body of isolationists who were against participation in the European war made in the first two years of the struggle short-sighted British policy towards India an argument for America's keeping aloof. In bringing home this argument to the American people, they brought the Indian question into a lime-light as it had never been brought. But it should be known that while in the United States there were two opinions about the European war, there is almost complete unanimity in respect of Japan. No power is more hated and feared in America than Japan. If inspite of it many noted Americans are supporting Indian demand for freedom, and thereby picking holes in the policy of their ally, Britain, it is because they are convinced that without India's freedom and without the full mobilisation of Indian moral and material resources, Japan cannot be easily defeated. So instead of calling them fifth columnists, we might better call them American patriots. It should also be emphasised that because of the vastness of the country, the existence of diverse elements therein and the ardent democratic traditions pursued through several centuries, it is not possible to achieve unanimity of opinion even in war-time in the United States. In Britain it is a national characteristic for people of all parties to rally round the government in fundamental matters. But such natural regimentation of opinion on behalf of the government of the U.S.A. is out of the question.

C. S. Fox and Geological Survey

Dr. Fox, the Director of Geological Survey, recently delivered a speech at the Royal Asiatic Society of Bengal of which he was the President until recently. He emphasised in this speech the necessity of expanding geological surveys in India and bringing into light the different mineral deposits which are now lying hidden in the different nooks and corners of this country. In the U.S.S.R. the

number of geologists at work during the new regime is a legion. There is not a village which has not been surveyed and prospected. The new resources which have helped the Soviet Government so much in its war preparations have been developed to a large extent by the activities of these geologists. In our country such scientists had hardly any existence until recently and those also who had any training in geology would have no opportunity of pursuing it as a vocation. A Utilisation Branch of the Geological Survey has no doubt been created under pressure of the extraordinary circumstances of the last three years. But we cannot say that it has been welcomed as cordially in nationalist circles as it might have been if the government of the country was that of the people and by the people. The late Sir Vithaldas Thackersey once said that it was better that the mineral deposits of India should lie in the womb of the earth than that they should be exploited by foreigners in their interests. A National Government would allay such suspicion and undertake the extension of geological work with better planning and larger vision.

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Reviews and Notices of Books

Outlines of Jainism.—By Jagmanderlal Jaini, M.A. Edited with preliminary note by F. W. Thomas. Published by the Cambridge University Press. 1940. Pp. xl+159. Price 6*d*. net.

Outlines of Jainism by the Late Hon'ble Justice Jagmanderlal Jaini was first published in 1916 with preliminary note by F. W. Thomas. The present edition is a reprint of exactly the same matter as that of the first edition, only with certain corrections in addition as foot-notes by the Editor. The content of the first edition has been already known to the reading public and more specially to those who are interested in Jainism in its most important aspects. Hence the task of the reviewer of the present edition is evidently less onerous than what appeared to its reviewer when the book first saw the light. The corrections by way of foot-notes introduced in this edition by the learned Orientalist have indeed added to the quality of the present edition, though the reader will note that these corrections do not relate so much to the principles of Jainism as to the dates of Mahavira's death and His attainment of Nirvana or final liberation and similar other minor matters.

The author has divided the subject-matter of his book into four chapters—(*i*) *Theology*; (*ii*) *Metaphysics*, (*iii*) *Ethics* and (*iv*) *Ritual*. In the first chapter on *Theology*, he has raised the problem of the nature of God and of His relation to man. Jainism, as we all know, is atheistic in the sense that it does not find logical and metaphysical grounds for the conception of a personal God creating and destroying the universe and holding moral relation to man. To the Jaina God can never be other than an *ethical ideal* to be realised by the soul at its best. Highest humanity is divinity. *Man is to become God* by the positive attainment of absolute knowledge and highest ethical perfection. It is not a mere ideal never to be actualised, but an ideal which has been actualised in the lives of the best men called the Jinas or Tirthankaras, of whom Lord Mahavira was the last. The conception of the Divinised Man, or of Man-become-God, is unique in Jaina theology and has a parallel only in Buddhism which is another instance in Indian philosophy where ethics of self-culture has merged in religion.

Under the second head of *Metaphysics* the author has discussed Jaina pluralistic realism and divided existence into Soul and Non-Soul. Here, as the author shows, Jainism, as a common-sense realism, is perfectly logical and unassailable in its dichotomy of existence. The soul is metaphysically as important a category as the non-soul. The souls are many and in fact innumerable, and the other important category of the non-soul has been subdivided into Matter (pudgala), Time (*kala*), Space (*desa*), the principle of Motion (*dharma*), and the principle of immobility (*adharma*). All these taken together make up the six *dravyas* of the Jaina. But since the soul and the non-soul are diametrically opposed to one another, Metaphysics requires that there must be some link or connection to explain commerce between the two. This principle of connection is indeed a crucial problem at which all dualistic and pluralistic metaphysics must knock its head, and Jainism, as a professed realism, finds its solution in the principle of matter in its subtlest form *amurta pudgala*. Our author has acquitted himself honourably of the task of presenting these important problems of Jaina Metaphysics, and that, within a short compass. Any student of Jaina Metaphysics will profit by a perusal of his account.

When we come to his third chapter on *Ethics* we find that our author, himself a Jaina layman, as distinct from a Jaina ascetic, has given us the

essential factors of man's ethical station and its duties, with all the wealth of details even not omitting the kinds of food and drink that are conducive to the attainment of the Jaina ethical ideal. The cardinal ethical virtue of the Jaina is *Ahimsa* or non-injury in all its possible forms. The author has given us indeed an account of the condition which fosters the spirit of non-injury, and that condition, as is enjoined by Jainism, is a gradual attainment of freedom from the influence of *karmic* matter, but what we miss in his account is the emphasis which he ought to have made on the fundamental Jaina apotheosis of Life. A system of thought which conceives of life as all-pervading cannot but insist on its preservation and its sanctity. In Buddhism, and to a great extent in Hinduism too, *ahimsa* or non-injury to life is also an important ethical virtue. In Buddhism and in Hinduism non-injury to life has received justification, not because life is the fundamental principle by itself but because injury to life, like all other injuries, is derogatory to ethical perfection. But in Jainism it is held that from the tiniest atom up to the most complex human existence the whole universe is pervaded by *nigodas* or minute life-germs, and, therefore, Life being the most fundamental principle in existence, Jaina philosophy may be regarded in this sense a Biocentric Philosophy, and hence it is but natural that non-injury to life as an inviolable and a sacred principle must be a metaphysically supported ethical virtue. The Late Hon'ble Jaini would have done well to bring this biological significance of Jainism into a bolder relief in his account of *Ahimsa* as the greatest ethical virtue. This Biocentric Predicament in Jainism is traceable to the Jaina Canonical literature and the reader is referred to Dr. Jacobi's note in S. E. S., XXII, p. 3. In our opinion the ethics of non-violence to life cannot be supported most strongly otherwise than by the emphasis which the Jaina has laid upon the sanctity of life.

In the fourth and last head of his book, namely, that of *Ritual*, the author has brought out, and very rightly, how the ideal can be realised. "Spiritual is the way," as the author himself points out, "in which we manifest our love and reverence for our ideal." Jainism tells us that this ideal is the perfect soul, but the perfect soul is the soul of the liberated. The soul of man has infinite possibilities, untold wealth of knowledge, purity, power and bliss. But it is the *karmic* matter, operating upon the soul in different degrees of intensity, despiritualises it in proportion, and it is ritual that helps the gradual rise of the soul by enabling it to rid itself of *karmic* matter and its products, pain, ignorance and weakness. Without going into the details of ritual as laid down in the Jaina literature, it is enough for our purpose to indicate that Jaina ritual makes the soul move higher and higher until the last speck of matter is removed and the soul once more shines in its own pristine purity, power and glory, much in the same way as the destiny and value is to be reached by the soul in the orthodox Yoga system of philosophy.

The value of the book has been enhanced by the citations of appropriate texts from the important Jaina works, such as the *Saras*, the *Tattvartha Sutra*, the *Dravya-samgraha* and the rest, so that the reader may have in this book the double pleasure of getting a brilliant exposition of the main currents of Jaina thought as also of being acquainted with the corresponding literature on the subject. The author is to be congratulated on the accuracy and lucidity with which he has brought out his *Outlines of Jainism* and on the service he has rendered not only to his own community but to any inquisitive general reader of comparative religion and philosophy. The Appendix II (on Jaina *Cosmogony*, *Cosmology* and *Astronomy*) supplies useful materials for a comparative study of ancient Indian culture; but it seems to us that though the Appendix I. (on Jaina *Logic*) is not too meagre for an outline of Jainism, yet we would have been gladder if it had at least hinted at the width of scope and dialectical acumen of Jaina logical thought, which as yet remains unexplored for researchers in Jaina Philosophy.

H. M. BHATTACHARYYA

Early Career of Kanhoji Angria and Other Papers.—By Dr. Surendranath Sen.

This is a collection of nineteen papers written at different times, largely based on unpublished sources, which afford interesting glimpses of some of the most important episodes of mediaeval and modern Indian History. The topics dealt with by the author, who needs no introduction to the world of scholars, cover a wide field. They relate in particular to four regions of India namely, Maharashtra, Mysore, Bengal and Delhi. Maharashtra occupies the place of honour, and the volume bears the name of one of its most gifted sons, the founder of a family whose fortunes form the theme of no less than six papers. The name of the Angrias recalls deeds of valour and daring worthy of a Drake or an Anson. Their achievements are the more deserving of attention because in general the naval arm seems to have been neglected by most of the great monarchs and statesmen of this country. But there are some notable exceptions. Far-sighted rulers like Chandragupta Maurya and Rajendra Chola *Gangaikonda* realised the importance of naval power and their example was followed by the "Sevajees and Singanians" who grew so strong "that scarce any boats" could pass to and from Bombay "without convoyes" towards the end of the seventeenth century A.D. The "Sevajees" were, of course, the intrepid admirals and commodores associated with the fleet created by the genius of the great Maratha *Chhatrapati*. Who were the "Singanians"? Do they derive their name from the great Singhana of the Yadava dynasty of Devagiri—the Raja "Singin" of Duff's narrative? It may be remembered in this connection that a *mahamandalesvara* ruling in the Goa region during the reigns of Singhana and his successor is styled "Lord of the Western Ocean." The title is also used by an earlier chief and may point to some sort of naval activity on the part of Hindu chiefs on the Konkon coast in the pre-Bhonsla period, which might have continued till the seventeenth century.

An interesting member of the Angria family was Raghunathji whom certain Portuguese papers style as captain of Haidar Ali's armada. It has been suggested that he is identical with the homonymous individual who represents himself as a son of the famous Tulaji of Gheria in a letter preserved among the Bombay records. It is, however, to be noted that the letter, while referring to the illustrious ancestry of the writer who was "in the greatest distress" in 1800 A.D., makes no reference to holding of high office under Haidar Ali of Mysore, or any achievement that stands to his own credit.

Valuable information regarding the policy and talents of the Mysore ruler and of British statesmen like Charles Boone, Mountstuart Elphinstone, Warren Hastings and Lord Auckland may be obtained from the papers collected in the volume. Of special interest is the light which some of the documents throw on social and economic conditions in our own province since the sixteenth century. The reference in a Portuguese letter to shells as the currency of the country reminds one of the observations of Fa Hien made more than a thousand years ago. The presence of straggling Frenchmen at Sootaloory and other places in south-east Bengal directs attention to a part of the province which has once more emerged from comparative obscurity in recent times.

The author discusses the question of the distribution of the Muslim population on pp. 188ff and refers to the *Chachnama*. The statements of that work are, however, to be accepted with caution. Contradictory accounts and romantic episodes of the folk-tale type are not rare. Besides, Abd-al Malik, son of Marwan, is represented as being alive on the day when "they brought Dahar's head" to the metropolis of the Arab Empire. The daughters of the *Raja* of Sind were, according to the *Chachnama*, sent to Baghdad, which was not the centre of the Caliphate in the days of Walid and his general Muhammad bin Qasim, the conqueror of Sind, and was not founded till the rise of the Abbasids.

In regard to the main elements of the population of southern and eastern Bengal we have to take note, among other things, of the accounts of mediaeval travellers who testify to the presence, at the head of the gulf, of "many foreigners from all parts, including Arabia, Persia, Abyssinia." The annual immigration of "thousands of slaves" is recorded by some of the writers.

The volume is a welcome addition to the literature on the subject, and will be of great use to students of Maratha History and of certain aspects of the social, economic and administrative history of Bengal from the sixteenth to the early part of the nineteenth century.

H. C. RAYCHAUDHURI

Bulletin of the Deccan College Research Institute. Vol. III—No. 2.

The present issue has been devoted to an edition, in some cases with improved readings, of the Muslim inscriptions found in Ahmedabad by Dr. M. A. Chaghatai. This city, which was the capital of the independent Muslim dynasty of Gujarat, founded early in the 15th century, is of still greater antiquity. It was erected on the site of the Hindu city of Asawal, a town which figures frequently in the early Tughluq history. Still earlier it contained a considerable colony of Muslims living as traders under the protection of the Hindu rulers; one of the earliest inscriptions published here records the erection of a mosque in the year 1035, only 25 years after the death of Mahmud of Ghazna, the conqueror of Somnath. Dr. Chaghatai thinks this to be the record of the first mosque erected in India. That Muslim settlers continued to enjoy Hindu protection is shown by other inscriptions found in Gujarat and also in Kathiwar in the 13th century. The inscriptions have been published with translations, photographs, and a detailed analysis of their contents and peculiarities. The practice of mentioning full titles and offices held by the nobles erecting public buildings was not peculiar to Gujarat as is supposed by Dr. Chaghatai, for similar information and even identical titles are found in the Muslim epigraphs of Medieval Bengal also. A point of some interest is the fact that earlier records are exclusively in Arabic to be replaced gradually by Persian. The growing popularity of Persian language and forms is seen in the use of Persian verses not only in funerary epitaphs but also in dedicatory inscriptions of mosques. The Medieval Muslim monuments of Bengal also present the same peculiarities. The explanation may perhaps lie in the fact that Gujarat and Bengal having both extensive overseas trade were commercially and therefore culturally closer to Arabia than to Persia. Timur's invasion and later, Gujarat's entanglement in the Power-politics of Northern India re-established her contact with Persia, but Bengal's relations with the Arabs were severed only when the Portuguese, early in the 16th century, destroyed their trade in the Eastern waters and finally when the Moguls forcibly brought her within their heavily Persianised culture.

A. B. M. HABIBULLAH

Introduction to Organic Chemistry—By John William Baker, D.Sc., Ph.D. (London), A.R.C.S., F.I.C., *Dent's Modern Science Series*. Published by J. M. Dent & Sons, Ltd. Bedford Street, London, W. C. 2. Crown 8vo 177 pages. Price 3s.

This little book contains within a small compass the fundamentals of Organic Chemistry. Stress has been justly laid on the functional groups, whose properties and reactions have been explained by a large number of illustrative experiments.

The book fully justifies its title in being a very suitable 'Introduction to Organic Chemistry' and beginners in the subject will find it very useful.

P. C. MITTER

Bageswari Silpa-Prabandhavali (1921-29)—By Dr. Abanindranath Tagore, D.Litt. Published by the University of Calcutta. 1941.

Abanindranath is a veritable "pioneer" in the revival of Indian painting and in 1941 Bengal celebrated the 70th Jubilee of his birth. In his 50th year the celebrated artist was invited by Sir Asutosh to accept the first chair created by him, of Indian Fine Arts, and we may appreciate today through the volume under review the far-reaching effects of that momentous decision of Sir Asutosh. Our Bengali language and literature came to be enriched by the profound monologues on 'What is Art' improvised by the most gifted creative artist of modern India. The Bengali prose in which Abanindranath expressed himself in these pages, is by itself, a work of art, introducing us to a new style and rhythm of expression. The subject matter is characterized by rare selection and diversity: Art and Language, Doctrine and Realisation, Form and Formless Beauty and Ugliness, Aryan and non-Aryan art, their evolution, Nation and Art, Anatomy and Art, Childhood of Art Toys and what not—are discussed by Abanindranath through his fascinating volume of 400 pages.

We congratulate the University on thus honouring the "Father of Modern Indian School of Painting" by the publication in the year of his septuagenary, of this valuable book. We regret however that, owing to lack of adequate supervision and haste, many serious misprints came to disfigure the pages of this lovely monograph: Bodin for Rodin and Inscription for Inspiration (p. 12) and other distortions in the proper names of foreign artists (p. 14), etc. A few pages of Errata and a subject-Index should be added to help the general readers. Abanindranath is most prolific not only in producing pictures but in writing essays on Art and Aesthetics. A complete Bibliography of his writings could have been compiled and published as an Appendix to this book which we recommend to all important Libraries and cultural institutions of Bengal. The University has earned the gratitude of the public of Bengal by lowering the price of the book in these days of abnormal rise in the cost of production. The typography and general get up of the book are satisfactory.

A Woman of India—By G. S. Dutt. Saroj Nalini Dutt was the wife of the late lamented Gurusaday Dutt, I.C.S., who consecrated most of his energies and fortune in building up a model women's organization in Bengal. He depicted in the volume under review, the brief yet inspiring career of his talented wife which appeared in Bengali first and then came to be translated into English for the benefit of women workers outside Bengal, when the movement tended to go beyond the provincial limits of Bengal. The homage of a loyal husband to a devoted wife found its most touching expression through this beautifully printed book.

KALIDAS NAG

Kashmir: The Playground of Asia—By Dr. Sachchidananda Sinha, Barrister-at-Law, D.Litt., Vice-Chancellor, Patna University and Editor, "Hindusthan Standard." Published by Ram Narain Lal, 2 Katra Road, Allahabad. Pp. xii + 345. Price Rs. 2.

The author has supplied his readers with a book which gives the most up-to-date information from his personal experience gathered in the course of the repeated visits he paid to Kashmir from 1897 onwards. The book contains five sections, introductory and informatory, practical and statistical, descriptive and reflective, a directory of general information and an exhaustive bibliography of books dealing with Kashmir from 1672. Its value is increased by more than thirty striking illustrations as well as by the numerous quotations on different aspects of Kashmiri life from sources, oriental and occidental.

The first section should prove interesting even to those who may not find it possible to visit Kashmir. The second and fourth sections contain information

invaluable to the tourist whose appreciation of the beauties of this part of our motherland is bound to be heightened by the material incorporated in the third section. The bibliography which forms the fifth section makes it easy for all interested in Kashmir to carry on their reading. The index appended at the end of the book enables the busy man to find out at once what the author has to say on any particular matter.

The value of this latest handbook on Kashmir is greatly enhanced by the numerous hints given with regard to the nature of accommodation available, the expense involved for it and for food, the proper season, according to circumstances, to visit this delightful Indian State, the routes to be followed, the nature of the transport and the like.

Unlike the ordinary run of guide books supplying information in the dry and uninteresting form of a catalogue, Dr. Sinha has given us a vivid account of what one would see at Kashmir and has conveyed to his readers the poetic beauty of the place like the litterateur that he is.

Something more than a mere compendium of the latest information useful to the tourist, Dr. Sinha's book enables the reader to see Kashmir through the eyes of a scholar and a man of affairs being informed throughout by a rare literary charm the fruit of extensive reading and ripe scholarship.

No doubt like the reviewer the reader after going through Dr. Sinha's book will feel that to miss a visit to Kashmir is one of the misfortunes of life.

H. C. MOOKERJEE

Ourselves

[I. *Exhibition of Children's Drawings.*—II. *Mr. Jogeschandra Chakravorti.*—III. *A New Doctor of Philosophy.*—IV. *New Fellows.*—V. *Professor Priyadaranjan Ray.*—VI. *Supply of Foodstuffs to University Employees.*—VII. *Air Training Corps.*—VIII. *Premchand Roychand Studentship in Scientific Subjects.*—IX. *Tagore Law Professor.*—X. *Jubilee Research Prize.*]

I. Exhibition of Children's Drawings

Under the joint auspices of the Indian Society of Oriental Art and the Asutosh Museum of Indian Art there was an exhibition of children's drawings at the Asutosh Museum, Calcutta University. The exhibits which were 260 in number were from children four to twelve years of age. It is to be noted that in these exhibits these children displayed only their untutored artistic skill and reaction.

The exhibition was opened on the 8th February last by Dr. Syamaprasad Mookerjee. In the short speech which he delivered on the occasion he paid a tribute both to the Indian Society of Oriental Art and to the Asutosh Museum for the excellent work they are doing in rousing the art consciousness of the people here. The Museum which was started six years ago with only a few specimens has already grown into a respectable stature. For this thanks are due to the energy and enterprise of the Curator, Mr. Devaprosad Ghose. Dr. Mookerjee in his speech also thanked Mr. Jamini Roy without whose active collaboration the exhibition would not have been as successful as it became.

II. Mr. Jogeschandra Chakravorti

Mr. Jogeschandra Chakravorti whose present term as Registrar will expire on the 31st March next has been reappointed for another term.

III. A New Doctor of Philosophy

On the recommendation of a Board of Examiners consisting of Professors M. Hiriyanna, Sir Sarvapalli Radhakrishnan and H. D. Bhattacharyya, Mr. Phanibhushan Ray, M.A., has been admitted to the degree of Doctor of Philosophy. The thesis presented in support of his candidature was entitled "Culture of Harmony." We congratulate Dr. Ray.

IV. New Fellows

The Hon'ble Mr. Justice Radhabinode Pal, M.A., D.L., has been nominated by His Excellency the Chancellor an Ordinary Fellow of the University in place of the late Sir Manmathanath Mookerjee. Mr. Justice Pal has been attached to the Faculties of Arts and Law. Rai Bahadur Professor Khagendrnaath Mitra and Dr. P. N. Banerjea have been re-elected Fellows of the University by the Faculty of Arts and the Registered Graduates respectively.

V. Professor Priyadaranjan Ray

Mr. Priyadaranjan Ray whose term as Khaira Professor of Chemistry expired recently has been reappointed in this capacity till he completes his sixtieth year.

VI. Supply of Foodstuffs to University Employees

In December last the Syndicate decided to open a store for the supply of foodstuffs and other essential articles for the employees of the University. In conformity with the decision some commodities were already purchased by the University and supplied to the employees. Recently an additional grant of Rs. 10,000 has been made in order that further relief might be given particularly to those who are on the lower scale of salary.

VII. Air Training Corps

The University received sometime ago a communication from the Air Branch of the War Department, Government of India, in which it was requested to take necessary steps for adopting a scheme for training young men for appointment in the technical or clerical trade groups of the Indian Air Force. This scheme has been prepared by the Air Headquarters and it provides for training of University students as to the organisation of Air Forces, the theory of flight, the working of the internal combustion engine and the properties of metals. The Appointments and Information Board of the University has been entrusted with the work of organising the training classes according to the scheme.

VIII. Premchand Roychand Studentship in Scientific Subjects

Mr. Subodhkumar Chakrabarti, M.Sc., has been awarded the above studentship for the year 1941. He is carrying on researches on "The Cascade Theory of Cosmic Ray Showers." We congratulate Mr. Chakrabarti, who is a Lecturer in Applied Mathematics in this University.

IX. Tagore Law Professor

The Hon'ble Mr. Justice B. N. Rau, Kt., C.I.E., I.C.S., has been appointed by the University as Tagore Law Professor for the year 1940. He will deliver a course of lectures on "Indian States and Treaty Rights."

X. Jubilee Research Prize

Miss Kamala Bagchi, M.A., has been awarded the Jubilee Research Prize by the University. The dissertation presented in that connection was entitled "Village in Bengali Literature." We congratulate Miss Bagchi on her being awarded the prize. It may be added that she is the first woman candidate to receive this honour.

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